

DEVELOPMENT MANAGEMENT

APPEALS LIST - 31/05/2024

APPLICATION NUMBER & SITE ADDRESS	APPEAL REFERENCE & STATUS	OFFICER & PROCEDURE
DM/0046/22/TPO 24 Park Avenue Grimsby North East Lincolnshire DN32 0DQ	AP/020/22 INPROG	Paul Chaplin Fast Track
DM/0795/22/FUL The Barns Killingholme Road Habrough North East Lincolnshire	AP/017/23 INPROG	Jonathan Cadd Written Representation
DM/1098/22/OUT Land South Of Millennium Park Humberston Avenue Humberston North East Lincolnshire	AP/020/23 INPROG	Jonathan Cadd Written Representation
DM/0686/23/FUL 2 Pinfold Lane Grimsby North East Lincolnshire DN33 2EW	AP/003/24 INPROG	Emily Davidson Written Representation

DM/0815/22/REM	AP/005/24	Lauren Birkwood
Land Field Head Road Laceby North East Lincolnshire DN37 7SS	INPROG	Informal Hearing

DM/0470/23/OUT	AP/006/24	Lauren Birkwood
Land Field Head Road Laceby North East Lincolnshire DN37 7SS	INPROG	Informal Hearing

DM/1070/22/OUT	AP/007/24	Bethany Loring
3 Kingsfield Farm Main Road Barnoldby Le Beck North East Lincolnshire DN37 0SB	INPROG	Written Representation

DM/0235/23/FUL	AP/008/24	Bethany Loring
The Georgian House Main Road Barnoldby Le Beck North East Lincolnshire DN37 0AU	INPROG	Written Representation

DM/1011/23/FUL	AP/009/24	Owen Toop
162 Yarborough Road Grimsby North East Lincolnshire DN34 4DN	INPROG	Written Representation

DM/1144/23/FUL	AP/010/24	Bethany Loring
Land South Of Anita Grove Waltham North East Lincolnshire	INPROG	Written Representation

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Appeal Decision

Site visit made on 16 April 2024

by G Dring BA (Hons) MA MRTPI MAUDE

an Inspector appointed by the Secretary of State

Decision date: 9th May 2024

Appeal Ref: APP/B2002/W/23/3332992

68 Brighowgate, Grimsby DN32 0QW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Oded Loulay of OA Homes Ltd against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0833/23/FUL.
 - The development proposed is change of use from a single dwelling to a house in multiple occupation, with repairs and redecorating to the exterior including formation of a secure cycle store.
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Decision

1. The appeal is allowed and planning permission is granted for change of use from a single dwelling to a house in multiple occupation, with repairs and redecorating to the exterior including formation of a secure cycle store at 68 Brighowgate, Grimsby DN32 0QW in accordance with the terms of the application, Ref DM/0833/23/FUL, subject to the conditions in the attached schedule.

Preliminary Matter

2. The Government published a revised National Planning Policy Framework (the Framework) in December 2023. Those parts of the Framework most relevant to this appeal have not been significantly amended. Therefore, I am satisfied that there is no requirement to seek further submissions on the revised Framework and that no party's interests have been prejudiced by my taking this approach.

Main Issues

3. The main issues are the effect of the proposal:
 - on the living conditions of occupiers of nearby properties with regard to noise and disturbance; and
 - on highway safety with regard to parking provision.

Reasons

Living conditions

4. The appeal proposal includes the change of use from a single dwellinghouse to a house in multiple occupation (HMO) with eight bedrooms. No extensions are proposed, and external works would be limited to repairs, redecoration and the formation of a secure cycle store in an existing covered store area.

5. The appeal property comprises a large three storey semi-detached building located on a corner plot at the junction of Brighowgate and Bargate. Along the eastern side of Brighowgate to the northeast of the appeal site are properties of two storey height that are semi-detached and detached that appear as single dwellinghouses. Bargate is a busy main route into the town where as Brighowgate appeared less busy, during my site visit.
6. Generally, along Bargate, properties within the vicinity of the appeal site appear to be larger two and three storey detached and semi-detached properties. Some of those larger properties are in commercial use and a number appear to be sub-divided into flats, including the three storey property attached to the appeal property which has access off Abbey Road to the south. From the evidence before me it appears as though some of the properties in the surrounding area are also existing HMOs. Therefore, although the neighbouring properties to the northeast are single family dwellings, flats and HMOs are not uncommon in the larger properties that have a presence on Bargate.
7. Whilst not currently occupied, given the size of the existing property and its current use, it could be resided in by a large family. The appellant also asserts that the property could be changed to a small HMO for up to 6 occupants under permitted development rights. The Council acknowledge this potential permitted change of use and do not dispute that it could occur.
8. I accept that the proposal would result in an increase in the number of occupants and potentially associated visitors, so is likely to generate more day-to-day activity than a traditional single household. However, this does not necessarily mean that a large HMO here would be harmful.
9. The main entrance into the property would be located in the elevation facing Bargate which is separated from the neighbouring adjacent property to the northeast, 111 Abbey Road, by intervening built form and an established hedgerow. The attached neighbouring property is accessed from Abbey Road and therefore is clearly removed from the access point into the appeal property. Therefore, whilst pedestrian movements to and from the property may be perceptible by those passing by, this would not give rise to undue noise and disturbance to any neighbouring properties to a degree that would be unacceptably harmful.
10. The use of the external space to the side of the property, in closest proximity to No 111 would be limited by the fact it would be more functional in its use. The existing off street parking arrangement would be retained and the external space would provide access to the covered cycle store and the storage facilities within the existing outbuilding. The external space to the front of the property is removed from No 111 and whilst adjacent to the front garden of the attached property, is separated from it by a hedgerow.
11. There is concern from the Council and interested parties that the occupancy of the property could exceed 8 individuals, given all of the bedrooms appear to accommodate double beds. However, the appellant asserts that the proposal has been designed for single occupancy only, and that occupancy would be controlled under separate legislation through the Council's HMO licensing requirements. I do not have the details of the licensing requirements before me. The appellant has suggested that a planning condition could be imposed to

limit the occupancy also. In my view, it would be possible to impose such a condition.

12. Consequently, I conclude that the proposal would have an acceptable effect on the living conditions of occupiers of nearby properties with regard to noise and disturbance. The proposal would comply with Policy 5 of the Local Plan 2013 to 2032 (Adopted 2018) (LP) which seeks, amongst other things, that development proposals are considered in terms of suitability and sustainability having regard to neighbouring land uses by reason of noise and disturbance.

Highway safety with regard to parking provision

13. Interested parties and the Council have raised concerns in respect of the increase in demand for on-street parking that would arise from the appeal proposal particularly given the proximity to the town centre and that the area is used by visitors as well as residents for parking, however no objection has been raised by the Highway Authority.
14. The appellant states that two existing off-street parking spaces would be retained as part of the proposal and that other on-street parking is available nearby.
15. I noted that on-street parking along Brighowgate is restricted to 1 hour between the hours of 8am and 6pm Monday to Saturday with no return within 1 hour. Parking along this road would therefore be possible unrestricted overnight between 6pm and 8am and on Sundays. The area of Abbey Road, closest to the appeal site is subject to double yellow lines and the remainder is also prohibited parking during the daytime between 8am and 6pm Monday to Saturday.
16. A traffic light controlled pedestrian crossing is located within approximately 40 metres of the appeal site which leads to Augusta Street, which has unrestricted on-street parking. Within approximately a 5 minute walk is Welhome Avenue which also has unrestricted parking sections. At the time of my site visit, although I acknowledge it is only a snapshot in time, there were a number of on-street parking spaces available on both Augusta Street and Welhome Avenue. Whilst I note car parking may be more of an issue in the evenings and at weekends, there is some provision along Brighowgate in the evenings and on Sundays. I have no substantive evidence, such as a parking survey for example, that suggests that the local area is subject to significant parking demand issues.
17. I observed 'Stride' signage on Abbey Road in close proximity to the appeal site promoting that the area is within a 5 minute walk of the town centre. The railway station is also located within a similar walking distance. A bus stop on Bargate is located within approximately a 2 minute walk of the appeal site which provides access to a number of bus services. Interested parties state that the town centre is depleted and run down, and that bus and train services have been cut back and are unreliable. Nevertheless, I did witness a number of shops, services and facilities open in the town centre during my site visit.
18. A secure cycle storage area is proposed as part of the scheme which would also provide opportunities for occupants to utilise cycling as an option. Therefore, occupiers of the proposed HMO would not necessarily require their own car,

and the use of alternative sustainable transport modes are accessible from the appeal site.

19. I therefore find that the proposal would not be harmful to highway safety with regard to parking provision. The proposal would therefore comply with Policy 5 of the LP which seeks, amongst other things, that development proposals are considered in terms of suitability and sustainability having regard to access and traffic generation and the impact upon neighbouring land uses by reason of disturbance.

Other Matters

20. The appeal site is located within the Wellow Conservation Area (WCA). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
21. The significance of the WCA includes the appearance and layout of Victorian dwellings that formed the expansion of the town historically. The buildings within the WCA provide evidence of the type of housing prevalent at the time and the building techniques and materials used. The appeal property, given its age and architectural character, contributes positively to the character and appearance of the WCA. I note that the Council's Heritage Officer is supportive.
22. The residential use of the property would continue as a result of the scheme. The proposal includes very minor external works to the existing building and would be comprised mainly of repairs to existing features including windows, doors, down pipes and roof tiles where necessary. The proposed cycle store would be created within an existing covered store area. The building would therefore be retained as it currently appears externally and would continue to contribute positively to the character and appearance of the WCA, if the appeal proposal was implemented. I therefore find that the proposal would not be harmful to the significance of the WCA and it would preserve the character and appearance of it.
23. Interested parties have raised concerns about the concentration of flats and HMOs in the local area, the need to support the retention of family homes and the effect that this has on community cohesion given the more transient nature of some HMO tenants. The Council has not included this as a reason for refusal nor has any policy requirement relating to the concentration of HMOs been provided. There is no cogent evidence before me that shows that the development would result in an adverse effect on social cohesion in the local community.
24. Concerns have been raised about the potential for anti-social behaviour and crime, particularly given the presence of a nearby school and an HMO which provides homes for vulnerable people. I understand that there has been a case in the local area in the past which caused significant distress to the local community, and I sympathise with residents regarding the previous situation that occurred. Nevertheless, I have little substantive evidence to suggest that the proposal before me would result in such behaviour.
25. There are no existing windows located in the rear elevation which faces No 111 and no new window or door openings are proposed as part of the scheme. It is not proposed to remove the existing rear and side boundary treatments which

provide separation and screening from neighbouring properties. Therefore, there would be no additional impact in terms of the levels of overlooking or effects on privacy.

26. No changes are proposed in terms of the extent of the existing built form, therefore there would be no additional impacts in terms of overshadowing of neighbouring properties.
27. Interested parties have raised concerns about the living conditions and amount of amenity space proposed for future occupants. The Council state in the Committee Report that each room meets the relevant space standards and that the external space provided would remain as existing and given the proximity to the town centre is not unusual. I have no substantive evidence before me to take a different view in this regard.
28. Although only a snapshot in time, on my visit I saw little evidence of the suggested problems associated with intensified properties within the vicinity of the appeal site, such as poorly maintained frontages or bins overflowing. In the case of the proposal, there would be provision of covered cycle storage and space to store refuse and recycling bins in the existing outbuildings within the appeal site.

Conditions

29. The Council has provided a list of suggested conditions, should the appeal be allowed. I have considered the suggested conditions and added to, amended and reordered as necessary in the interests of precision and clarity, as well as to comply with the Framework and the advice set out in the Planning Practice Guidance.
30. The standard time for commencement of development is necessary as well as a plans condition in the interests of certainty. In this case, to protect the living conditions of neighbours, a condition restricting the number of occupants is reasonable and necessary.
31. A condition restricting when the conversion works can take place is also necessary to safeguard the living conditions of neighbouring occupiers. I have imposed a condition to ensure that the proposed cycle and bin storage is provided prior to occupation, in order to enable and promote sustainable modes of travel and to protect the character and appearance of the area.

Conclusion

32. I conclude that the proposal would comply with the development plan as a whole. There are no material considerations that indicate that a decision should be taken otherwise than in accordance with it. As such, I conclude that the appeal should succeed.

G Dring

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: RD:5433-01 Site Location Plan; RD:5433-04 Proposed Elevations and Block Plan; RD:5433-03 A Proposed Plans.
3. The property shall be occupied by no more than 8 residents at any one time.
4. No conversion work shall be carried out on or before 08:00 or after 18:00 Mondays to Fridays inclusive, before 08:00 or after 13:00 on Saturdays and at any time on Sundays or Bank Holidays.
5. The cycle store and bin store as shown on the approved plans shall be completed and available for use prior to any occupation, unless otherwise submitted to and approved in writing by the Local Planning Authority.



Appeal Decision

Site visit made on 1 May 2024

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 May 2024

Appeal Ref: APP/B2002/W/23/3334414

Roundhead Service Station, 148 Cromwell Road, Grimsby, DN31 2BA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Motor Fuel Group against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0370/23/FUL.
 - The development proposed is demolition of jet wash machines and the creation of charging zone, erection of EV chargers, erection of canopy, three jet wash bays, sub-station enclosure and associated forecourt works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The red line site boundary includes the vehicular access from Cromwell Road but does not include access across the back of the petrol filling station, to enter the site centrally as shown on the layout plan, rather than through the jet wash area. It also excludes the exit route. As the blue line suggests the whole of the land is in the same ownership, and as I am dismissing the appeal anyway on the main issue, this has not affected my determination of the appeal.

Main Issue

3. The main issue is the effect of the proposed development on the living conditions of occupiers of nearby residential properties.

Reasons

4. The appeal site comprises an area of hardstanding and overgrowth, which is enclosed by walls, fencing and locked gates and does not appear to have been used for some time. It is located to the rear of an existing petrol filling station (PFS), which in addition to the forecourt fuel pumps and canopy, has a convenience store, a car wash and two jet wash bays. The two jet wash bays are located to the rear of the PFS within the red line boundary of the appeal site. Vehicular access to the appeal site is through the PFS from the A1136 Cromwell Road, to the west of the forecourt. The exit is to the east of the forecourt, also onto Cromwell Road. Operating hours of the PFS are currently restricted to petrol and retail sales from 06:00 to 00:00, car wash, jet wash, vacuum air and wash equipment from 07:00 to 23:00, no deliveries to take place and flood lights to be switched off between 23:00 and 07:00.
5. It is undisputed that the site is within a Local Centre as defined by the North East Lincolnshire Local Plan 2013-2032 (the local plan). The small Local Centre

comprises a mix of uses and is otherwise surrounded primarily by housing. The rear of the site is bound by a railway line. There are houses and gardens to the east of the site and to the west there is a parade of shops with residential properties above and parking to the rear, as well as a place of worship and meeting place with associated car parking. There is a supermarket and its associated car park opposite the PFS. I have not been advised that any of the commercial premises in this area operate 24 hours per day.

6. The proposed Electric Vehicle (EV) charging points would be located along the eastern boundary of the site, immediately adjacent to the flank wall of the dwelling at 6 Chestnut Avenue, its habitable room windows, and its private front and rear gardens. There would be a total of ten charging points below a canopy with glazed roofing and downlights. These would be operated via a mobile phone app, and as such would be available for use 24 hours a day.
7. During my visit I observed that the jet wash facilities were quite noisy, even when only one was in use and despite the background noise from daytime traffic and other activities. I also noted that water was running onto the adjoining land to the west. The proposal would increase the number of jet wash bays from two to three, all of which would be located along the western boundary, close to the rear balconies of the first-floor flats above the parade of shops. The increase from two to three jet wash bays suggests that there is high demand for these and accordingly, I see no reason why all three would not all be in use at the same time.
8. At present the open side of the jet wash bays faces the rear of the petrol station. The new jet wash bays would be orientated with their open sides facing residential properties to the east. According to the Noise Impact Assessment, having the back of the EV chargers against the eastern boundary means that the noise generated from these is projected westwards. It therefore stands to reason that if the back of the jet wash bays is against the western boundary, the noise from these will be projected eastwards.
9. The application form and noise report state that the jet wash facilities would be open for use daily from 7am until 10pm, with the management plan suggesting hours of 7am until 11pm, as existing. I am also advised that the jet wash machines would be coin operated. As such it is unclear how these would be prevented from being used outside of the permitted hours, particularly after the PFS has closed. Concerns raised by local residents indicate that the existing jet wash facilities are already used outside of their approved operating hours causing disturbance at unsociable hours.
10. I have had regard to the noise report submitted and accept that the substation and EV charging facilities themselves would not result in unacceptable levels of noise. I also acknowledge that Environmental Health have not objected provided the jet wash facilities can only be used between 07:00 and 23:00. However, I must also consider the potential for associated disturbance caused by vehicle movements, headlights, occupiers of vehicles opening and closing car doors, people playing music in their cars, talking and making phone calls etc whilst their vehicles are being charged, particularly late at night when nothing else in the area is open and drivers and passengers would have nowhere else to go. The area would also need to be well lit and covered by CCTV for safety and security purposes, particularly as the charging points

would be located to the rear of the PFS where there is little natural surveillance from the street.

11. There is also greater potential for people to be talking outside of their cars or with their doors or windows open, during periods of better weather, when residents are more likely to be enjoying their gardens on an evening and sleeping with windows open.
12. Erecting signs requesting customers to refrain from loitering, playing radios, slamming doors or talking loudly would not prevent any of these things from occurring. Although the display of such signs could be enforced, the actions requested on them could not be. Such rules would be particularly difficult to control given that the remainder of the PFS would be closed and therefore unstaffed, between midnight and 06:00.
13. The canopy over the EV charging units would be higher than the adjacent garden wall. The scale of the structure together with its nighttime illumination would be visually intrusive and would harmfully detract from the outlook of residents at number 6 Chestnut Avenue. Whilst I note that down lighters would be installed in the canopy and would not shine directly towards any dwellings, this light would still be visible through the glazed roof and would change the character of the site, which is currently in darkness at night. Furthermore, although no other lighting is proposed or shown on the submitted plans, it is considered that this would be necessary in the interests of public safety and security, and as such it would be unreasonable to impose a condition preventing the installation of any further lighting.
14. The level of activity that could be generated by the scale of the proposal, together with its 24-hour operation, lighting and the presence of cameras in close proximity to residential dwellings, in an area that is currently unused and unlit at night, would further detract from the privacy and amenity of those living in adjacent residential properties, who are already disturbed by activities at the existing PFS, which take place further away from the boundary of these properties than the proposal. Other commercial uses in this designated local centre do not operate 24 hours per day, and except for dwellings above shops, the residential and commercial uses are appropriately segregated in order to minimise any potential land use conflicts, in accordance with relevant policies.
15. I therefore conclude that the proposal would result in unacceptable harm to the living conditions of residents in the area immediately surrounding the site. Consequently, it would not accord with Policies 5 and 22 of the local plan, which require, amongst other things, regard to be had to effects on neighbouring land uses by reason of noise, disturbance or visual intrusion, and good design, which is informed by a thorough consideration of the sites context.
16. The proposal would also conflict with paragraph 135(f) of the National Planning Policy Framework, which seeks to ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

Other Matters

17. I acknowledge that the proposal would make efficient use of previously developed land within a designated local centre and that the EV charging element of the proposal would contribute towards the Government's commitment to achieving net zero emissions by 2050 and its goal of providing around 300,000 public EV chargers by 2030. It would also contribute towards the provision of public EV charging devices in North East Lincolnshire, which I note is currently very low. I afford these benefits significant weight.

Conclusion

18. The development would result in benefits in terms of the provision of public EV charging points. However, this would not outweigh the unacceptable harm the development would have on living conditions of occupiers of nearby residential properties. The proposal therefore conflicts with the development plan and there are no material considerations of sufficient weight that would lead me to make a decision other than in accordance with this. Consequently, the appeal is dismissed.

R Bartlett

INSPECTOR



Appeal Decision

Site visit made on 25 April 2024

by K Mansell BA (Hons) MPhil TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30.05.2024

Appeal Ref: APP/B2002/D/24/3339486

214 Sandringham Road, Cleethorpes DN35 9AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Andrew Critten against the decision of North East Lincolnshire Council.
 - The application Ref DM/1174/23/FUL, dated 4 December 2023, was refused by notice dated 26 January 2024.
 - The development proposed is described as '2m high wooden fence concrete posts'.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. On 20 December 2023, the Government published an updated revised version of the National Planning Policy Framework (the Framework). In relation to the main issue in this appeal, Government policy has not materially changed. Therefore, I have not sought the parties' comment upon it, but neither party has been prejudiced by my having regard to it.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. Sandringham Road forms part of a well-established residential estate largely constructed by the local authority in the 1950s. It is characterised by dwellings of a consistent style that follow a uniform building line. Houses are set back from the road behind a garden or driveway and delineated from the street by either a fence, wall or hedgerow. Whilst not of an entirely uniform height, these front boundaries are generally modest in scale, in the region of 1 metre or less. The repeating arrangement of similar properties and boundary treatments results in a reasonably consistent character and appearance to the area.
5. No 214 is situated on a corner, fronting Sandringham Road with Newstead Road to its flank elevation. With the exception of a front pedestrian gate, a pair of double gates on the side boundary, and a small section of fence on the corner to repair damage by a vehicle, the existing boundary to No 214 comprises a privet hedgerow. It is grown to approximately 2 metres in height, enclosing the front, side

and rear garden from the street. The appeal scheme would replace the majority of the hedgerow with a 2-metre timber fence.

6. The fence would run along the entire side boundary to Newstead Road and part of the frontage to Sandringham Road. Even if part of the hedgerow to the front of the house would be retained, and Newstead Road is a more secondary frontage, the fence would nonetheless extend for a significant length. Combined with its consistent height, and particularly as a consequence of the property's corner location, the fence would be prominent and visually obtrusive within the street scene, and it would not make a positive contribution to local character as a result.
7. It would also be at odds with the typically lower fences and walls that I observed to the boundaries of other dwellings within the immediate vicinity. Standing at the appeal property, I saw no other examples of timber fences to the same height and length as the appeal scheme. The fence to the house situated on the opposite corner to the appeal property at No 212 does increase in height along part of its frontage to Newstead Road. However, it is not of a constant height and this variation makes it less prominent. I did also observe that some boundary hedges along both Sandringham Road and Newstead Road are taller, including that to the appeal property. However, these offer a natural means of enclosing a house. They are less stark than a solid fence and contribute to the landscaping of the area. Within this context, the proposed boundary fence as a result of its length and consistent height, would appear incongruous.
8. The appellant has drawn my attention to several specific examples of taller fences or brick walls in the vicinity, as well as more generally within the wider area, including Grimsby. I recognise that in some of the local instances, these boundary treatments are reasonably tall, for at least a part of the perimeter of the dwellings. However, full details of these schemes are not before me, and I cannot be certain that they benefit from planning permission. Moreover, within the immediate locality of the appeal property, none of these examples are directly visible from it and, therefore, they do not provide a visual context for the proposal. Consequently, they are not a justification for it. Similarly, even if newer housing estates incorporate 2-metre boundary walls into their original design, this is not comparable to the context of the appeal scheme, being a post-War housing development and, in any event, I must assess the proposal on its individual merits.
9. I therefore conclude that the fence would be harmful to the character and appearance of the area, and it would conflict with Policies 5 and 22 of the North East Lincolnshire Local Plan 2013-2032 (adopted 2018). Amongst other matters, these policies seek to ensure that development proposals have sufficient regard to the character of the area in which they are sited, including in respect of any visual intrusion, and deliver a high standard of design, having regard to a site's context. It would also conflict with guidance at Section 12 of the Framework, which generally promotes the importance of good design.

Other Matters

10. I recognise that being a corner property, the side and rear garden to No 214 would be visible without some form of screening. I also understand the appellant's desire for a private garden. However, that is presently provided by the existing hedgerow, which, from my observations on site, appeared to be substantial and well-maintained, notwithstanding concerns about the effect of the Council's weed control

measures on the adjacent footway. I appreciate that this has, in part, been damaged by the intrusion of a vehicle, but I have no substantive evidence before me to indicate that a fence would prove more resistant to a vehicle than the existing hedgerow. Furthermore, planning decisions are taken in the public interest and unfortunately, these personal circumstances do not, in my view, outweigh the harm to the character and appearance of the area that I have identified previously.

Conclusion

11. The appeal proposal would conflict with the development plan as a whole, and there are no material considerations that would indicate a decision otherwise would be appropriate. For the reasons given above, I therefore conclude that the appeal should be dismissed.

K Mansell

INSPECTOR