

DEVELOPMENT MANAGEMENT

APPEALS LIST - 19TH DECEMBER 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/1182/23/OUT R/O 92-108 Middlethorpe Road Cleethorpes North East Lincolnshire DN35 9PR	AP/012/24 INPROG	Emily Davidson Written Representation
DM/1088/23/PAT Thorpe Park Holiday Camp Anthonys Bank Road Humberston North East Lincolnshire DN35 0PW	AP/015/24 INPROG	Bethany Loring Written Representation
DM/0942/23/FUL Scout Hut Waltham Road Grimsby North East Lincolnshire DN33 2LX	AP/016/24 INPROG	Jonathan Cadd Written Representation

DM/0220/24/FUL	AP/018/24	Bethany Loring
Summerfields Louth Road Waltham North East Lincolnshire DN36 4RY	INPROG	Written Representation

DM/0595/24/ADV	AP/019/24	Becca Soulsby
Ramsdens 361 Cleethorpe Road Grimsby North East Lincolnshire DN31 3BP	INPROG	Written Representation

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Appeal Decision

Site visit made on 1 August 2024

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/B2002/W/23/3327248

3 Kingsfield Farm, Barnoldby-Le-Beck, Grimsby DN37 0SB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr Andrew West against the decision of North East Lincolnshire Council.
 - The application Ref is DM/1070/22/OUT.
 - The development proposed is described on the notice of decision and the planning appeal form as "Outline application for the erection of 2 dwellings and associated works with all matters reserved (Amended Description and Plans received 22nd May 2023 to reduce dwellings to 2 and include pedestrian refuge points for the public right of way)".
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The application was submitted in outline with all matters reserved for future consideration. Notwithstanding the description of the development given on the planning application form, the proposal was amended during the course of the planning application to reduce the scheme to 2 dwellings, and this is reflected on the plans submitted with the appeal. I have taken the description of the development from the Council's decision notice and the planning appeal form, as I consider that it accurately reflects the proposal before me. I have dealt with the appeal on that basis, treating the proposed site plan and elevations as being indicative of the reserved matters.

Main Issues

3. The main issues are:
 - Whether the appeal site is an appropriate location for housing in respect of local and national planning policy; and
 - The effect on the character and appearance of the area, with due regard to protected trees.

Reasons

Location of Housing

4. The site is located outside of the development boundary of the village as defined in the North East Lincolnshire Local Plan 2018 (the Local Plan). In accordance with Policy 5 of the Local Plan, the site is regarded as being within the open countryside.
5. Policy 3 of the Local Plan also identifies the village as a Minor Rural Settlement which offers very few services and amenities as well as poor accessibility to higher level settlements. Although the village does contain some services, these are of a limited nature and I consider that the classification of the village in Policy 3 reflects the circumstances I saw on my visit. The appellant refers to services in Waltham, but due to the nature and length of this route, including lack of streetlighting, walking and cycling would not be a realistic option for future occupiers of the dwellings, particularly in the evenings and during the winter months. On that basis, I do not consider that facilities available in the wider area would materially decrease the reliance of residents on the private vehicle to access services and employment.
6. Policy 5(3) sets out that development will be supported beyond development boundaries where it recognises the distinctive open character, landscape quality and role that these areas play in providing the individual settings for independent settlements, subject to a number of further criteria. Within that context, the site has the appearance of being within the residential curtilage of the host property, and I note that planning permission for a change of use from paddock to residential garden has previously been granted.
7. However, the appeal site is an open area of land, and the introduction of 2 dwellings would harm this open character. Furthermore, the harm to the open character and the contribution that the site makes to the setting of the village would be apparent from a public right of way adjacent to the site, even allowing for substantial screening from trees and shrubs. That said, given the appearance of the site as residential curtilage and the relationship with other developed plots in the vicinity of the site, the harm to the open character and countryside setting of the village would only be of a moderate degree.
8. Due to the harm to the open setting of the village, the proposal would conflict with the principal aims of Policy 5(3) of the Local Plan, even allowing for the moderate degree of harm.
9. In respect of the further criteria of Policy 5(3), residents of the proposal would support services in this rural area, and there would be economic benefits during the construction phase, although given the scale of the proposal these benefits would be very limited. These very limited benefits are not sufficient to meet the requirements of criteria A and B of Policy 5(3), and it has not been demonstrated that the proposal would meet any of the other criteria, even if the scheme met the overarching aim of the policy.
10. Although there are other developed plots in the vicinity of the site, the extent of built development on the edge of the village in this area is of a more dispersed character. Given this character and the projection of the proposal onto an open area beyond the development boundary, I also consider that the

proposal would not represent limited infill within the terms of Policy 3 of the Local Plan.

11. I therefore conclude that the proposal would conflict with Policies 3 and 5 of the Local Plan in respect of the sustainable location of residential development on the basis of the settlement hierarchy and specified development boundaries. The proposal would also be contrary to the National Planning Policy Framework (the Framework) in respect of sustainable development in rural areas.

Character and Appearance

12. As indicated previously, the appeal site has the appearance of being within the residential curtilage of the host property, even allowing for the relatively large extent of the site. There are also plots containing built development to the south west of the site which project further beyond the built envelope of the village, as well as other development in the vicinity. Within that context, the site is not viewed as being part of the countryside around the village, but neither is it an integral part of the built extent of the settlement. The site has the character of a large open area of residential curtilage projecting beyond the edge of the village, including in views from a nearby public right of way.
13. The appeal proposal would introduce 2 dwellings and their associated curtilages onto this open plot, and these would appear as the projection of development beyond the built envelope of the village. However, given the appearance of the site and its context, the harm to the character and appearance of the area and the setting of the village would only be of a moderate degree.
14. There are a number of trees within and around the site that are subject to a Tree Preservation Order. The appellant has submitted an Arboricultural Report which concludes that the site can be developed without an adverse impact on the retained trees. The Council's Trees and Woodlands Officer also accepts that it would be possible to construct the properties as indicated and protect the trees during construction, but also expresses concern in respect of ongoing pressure on the trees.
15. However, the appeal site is of a size where the dwellings could be located away from the retained trees in a manner which would reduce pressure for works to the trees in respect of built development. The proposed plots could also provide extensive garden areas that would not be subject to unacceptable overshadowing or other potentially detrimental effects from protected trees. Given the outline nature of the proposal, there is also a degree of flexibility as to the layout of the development. Based on the evidence before me, I conclude that it has not been demonstrated that the proposal would lead to pressure for the felling of protected trees or works which would harm their amenity value.
16. Notwithstanding my conclusions in relation to protected trees, I conclude that the proposal would lead to moderate harm to the character and appearance of the area due to the projection of development onto an open area beyond the built extent of the village. The proposal would therefore be contrary to Policies 5, 22 and 42 of the Local Plan in respect of the effect of

the proposal on the open character of the site and the effect on the landscape setting of the village.

17. The Council's reason for refusal on this issue refers to Policy 43 of the Local Plan, but it has not been established that the proposal is one of the green spaces or recreation areas identified on the Policies Map. Based on the evidence before me, this policy does not relate to the appeal proposal.

Other Matters

18. The submitted evidence indicates that over the course of the planning application, the Council's Housing Land Supply (HLS) stood at 3.9 years in December 2022, but this increased to 13.1 years in April 2023 due to a change in the calculation method. The appellant also refers to a recent HLS of 4.2 years and evidence of a history of undersupply, although it has not been demonstrated that this supersedes the HLS of April 2023 or that the presumption in favour of sustainable development is triggered by the Housing Delivery Test results published by the Government. Based on the evidence before me, the Council's HLS position reflects that published in April 2023, and the tilted balance of paragraph 11(d) of the Framework is not engaged.
19. On 30 July 2024 the Government published a consultation on proposed reforms to the Framework and other changes to the planning system. A direction of travel has been outlined within the Written Ministerial Statement (WMS) 'Building the homes we need', which is a material consideration of very significant weight. Both the Council and the appellant were given the opportunity to comment on the consultation and the WMS, and I have had regard to the comments raised.
20. The Government's consultation includes proposed changes to the method of calculating local housing need as set out in the Draft Framework, which may have a significant effect on the Council's HLS. However, the Draft Framework is still being consulted on. As such its wording could change and draft revisions in respect of the calculation of housing need amongst other things could be revised further. I therefore cannot be certain of the exact circumstances arising from potential revisions to the Framework at this time. On that basis, I cannot attribute more than very limited weight to the draft revisions of the Framework, and this is not a determinative matter in this appeal. I have therefore determined this appeal on the basis of the Council's HLS as set out previously.
21. I am mindful of the benefits of the proposal, including the contribution to the supply and mix of housing in this area and the efficient use of land. However, given the Council's HLS, the benefits arising from 2 dwellings would be limited even allowing for the emphasis on significantly boosting the supply of housing in the Framework and the direction of travel set out in the WMS. Residents of the proposal would support local services, and there would be economic benefits during the construction phase, although given the scale of the proposal these benefits would be very limited.
22. The appellant refers to a number of developments permitted in the area, but I do not have full details of the circumstances that led to those permissions, or whether they are a direct parallel to the appeal proposal on matters including planning history, site context, or the Council's HLS position at the

time the decisions were made. The Council has also submitted copies of recent Appeal Decisions on other sites in the area, and I have noted the appellant's further comments in respect of these. Reference has also been made to a recent Appeal Decision¹, but although I have had regard to the Inspector's comments highlighted by the appellant in respect of HLS, it has not been demonstrated that the circumstances relating to the planning balance of that appeal are the same as those before me, including in respect of the amount and form of housing proposed.

23. I have had regard to the comments raised locally in support of the proposal, including in respect of the character and context of the site and the sustainability of the location. But they do not lead me to a different conclusion based on what I have seen and read.

Conclusion

24. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. For the reasons given above the appeal should be dismissed.

David Cross

INSPECTOR

¹ Appeal Ref: APP/B2002/W/22/3311282

Appeal Decision

Site visit made on 2 September 2024

by M Cryan BA(Hons) DipTP MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/B2002/W/24/3340871

Land south of Anita Grove, Waltham, North East Lincolnshire

- 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 and Mrs Glover against the decision of North East Lincolnshire Council.
 - The application reference is DM/1144/23/FUL.
 - The development proposed is the erection of 8 dwellings and garages with associated works to include provision of attenuation pond.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development used on the planning application form and appeal form included a reference to the scheme being a resubmission of an earlier application. I have omitted that wording in the banner heading above, as it is not descriptive of the proposed development.
3. The site address was given on the planning application and appeal forms as "Gare Loch, Cheapside, Waltham DN37 0HU", but was referred to in most other documentation (including the Council's decision notice and the appellant's statement) as "Land south of Anita Grove". The appeal site boundary shown on the submitted location plan does not include the dwelling Gare Loch. I have therefore used the address referring to Anita Grove in the banner heading, as it gives a more accurate description of the site location.

Main Issues

4. The main issue is whether the appeal site is an appropriate location for the proposed development, having regard to the spatial strategy for the area, and the development's effect on the character and appearance of the area.

Reasons

5. The appeal site is some three quarters of a mile or so south of the centre of Waltham. It is at the rear of dwellings on the west side of Cheapside (including Gare Loch with which it is, or was, associated) and immediately south of a group of relatively recently-built houses on Anita Grove. There is a commercial depot or similar premises adjacent to the south-east corner of the site, and open fields to the west and south.

6. The proposed development is the erection of eight dwellings, which would be arranged around a new cul-de-sac road taken off the south side of Anita Grove. The scheme would also include a drainage attenuation pond, alongside the access road towards the north-eastern corner of the site.
7. Policy 3 of the 2018 North East Lincolnshire Local Plan ("the NELLP") defines a settlement hierarchy which it states will provide the framework for decisions on the location and scale of development. Waltham is a second-tier settlement, a "local service centre"; these are described as places offering a good range of basic services and amenities combined with good accessibility to the wider services available in the Grimsby and Cleethorpes urban area. The policy states that "future development would involve development principally of greenfield sites adjacent to but within the defined settlement development area boundary".
8. Although close to existing housing as I have described, the appeal site is outside (and is not adjacent to) the development boundaries identified in the policies map for the NELLP. It is therefore "open countryside" in the terms set out in Policy 5 of the NELLP. That policy states that development in such areas will be supported "where it recognises the distinctive open character, landscape quality and role these areas play in providing the individual settings for independent settlements", *and* [my emphasis] where at least one of five other criteria are met. The proposal is for eight market dwellings, and there is no substantive evidence before me to demonstrate that it would meet any of those five criteria. The proposal would therefore be contrary to the spatial strategy for the area.
9. Moving south from the centre of Waltham along Cheapside towards the appeal site, there is a clear visual distinction between the pattern of development on the two sides of the road. The east side has almost continuous residential development from the village centre which continues a short way beyond the appeal site towards Waltham Windmill Golf Club, and this includes some recently-built streets (The Drive, The Green, and Golf Course Lane) which extend some way back from Cheapside. The west side, on the other hand, is much more characterised by intermittent ribbon development; although some developments (including Anita Grove) have punctured this and extend further back from Cheapside, the presence of the surrounding open countryside is still much more keenly felt.
10. The appeal site has trees and hedgerows on much of its northern and southern boundaries, and is separated from the fields to the west by an open post and rail fence. It is described by the appellants as "unused garden land", though it is generally rough grassland and its appearance, especially towards its south-western end, is much more that of a paddock than a formal domestic garden. The north-eastern end of the site is visually and spatially associated with the adjacent houses on Anita Grove and Cheapside, though the trees and hedgerows provide a degree of screening and separation which prevents the site from feeling dominated by the housing. The character of the south-western part of the site is set more by the broad open fields to the south and west, and the development of the appeal site for housing would represent a further incursion of urban, or at least suburban, form into the countryside.

11. Having said all this, I consider that the appeal site itself makes a limited contribution to the character of the surrounding countryside, and there is nothing before me to indicate that it forms part of a valued landscape. Public views of the site are restricted by the commercial unit, by Gare Loch and other houses on Cheapside, and by Anita Grove. To the extent that the proposed development would be visible, it would be seen in the context of the intermittent development along Cheapside. Subject to the use of appropriate materials and the approval of a suitable landscaping scheme, which are matters that could be dealt with by conditions if the scheme were acceptable in all other respects, I am satisfied that there would be no significant harm caused specifically to the character and appearance of the area. Nevertheless, the conflict with the spatial strategy would remain.
12. Several of the residential projects approved in recent years along Cheapside lie outside the development boundary identified in the NELLP. These are the Anita Grove scheme itself (planning permission for seven dwellings granted November 2016, LPA Ref: DM/0420/16/FUL), the "Highgate" (planning permission for three dwellings granted April 2019, LPA Ref: DM/0825/16/FUL) and "Helsenor" (planning permission for seven dwellings granted March 2018, LPA Ref: DM/0607/17/FUL) schemes a quarter of a mile or so to the south of the appeal site, and the "Haigh" scheme (planning permission for nine dwellings granted on appeal in March 2023, PINS Ref: APP/B2002/W/22/3307340) a short distance to the north.
13. These other schemes have contributed to "puncturing" the previous ribbon development pattern along Cheapside, as I have briefly described above, to varying degrees. However, all were approved in the context of the Council being unable to demonstrate a five-year supply of housing land, and where there was no dispute that the "tilted balance" described in Paragraph 11 of the National Planning Policy Framework ("the Framework") should be applied. It is now the Council's position (based on its April 2023 assessment) that it has 13.1 years' worth of deliverable land when considered against housing need calculated using the "standard method" described in the Framework.
14. No more recent figure for the Council's housing land supply has been put before me, although the appellants suggest in the light of the dismissal of an appeal relating to a proposal for 225 dwellings on an allocated site in the neighbouring village of Humberston in March 2024 (PINS Ref: APP/B2002/W/23/3329352) that the figure should be significantly less than 13.1 years. It is of course not for me to pre-empt any alternative proposal which might come forward for the *Humberston* site, but that appeal decision does not on my reading raise such fundamental issues that the site should be totally excluded from consideration of future housing supply in the area¹. While the appellants suggest that other allocated sites would not come forward for various reasons, there is nothing before me to demonstrate why that might be so, or that the current housing land supply does not still comfortably exceed five years.

¹ The Inspector's decision in Humberston turned on that scheme's failure to provide appropriate mitigation relating to the Humber Estuary Special Protection Area and associated functionally-linked land (in the form of the enhancement or creation of habitat for birds, and the avoidance of recreation disturbance to designated sites), which Natural England had considered could be implemented.

15. The appellants also suggest more generally, if somewhat tentatively, that the age of the NELLP, and the “evolved nature of Cheapside” which has resulted from the various developments described above, mean that the development boundaries (and even the development plan as a whole) should be considered out-of-date. The supporting text to Policy 5 of the NELLP explains the purposes of the development boundaries (including, among other things, the prevention of the coalescence of settlements, the protection of the intrinsic character of the countryside, and the avoidance of ribbon or scattered development). These purposes are not incompatible with the aims of the Framework, and the incremental change which has taken place in the area over the six years or so since the adoption of the NELLP does not in itself justify treating the plan, or the spatial strategy therein, as being fundamentally out of date. The “tilted balance” is not therefore engaged for either of the reasons suggested to me.
16. There is one further other decision to which the appellants have referred, the November 2023 “Snape” appeal (PINS Ref: APP/B2002/W/22/3311282) in which the Inspector granted planning permission for a development of 64 dwellings on a site outside the development boundary on the southern edge of Scartho, the settlement north of Waltham. Although the Inspector accepted that the Council could demonstrate a deliverable housing land supply of 13.1 years, they considered that the overall economic, social and environmental benefits of that scheme would outweigh conflict with the locational strategy of the development plan.
17. I acknowledge that the requirement to demonstrate a five-year supply of housing land does not set a ceiling for the delivery of housing. However, some factors which were relevant in *Snape* do not apply in this appeal. The Inspector in *Snape* noted that that site was “heavily influenced by the amount of built development locally”, and the “dense housing and its arrangement along the edges of the site [which] results in a hard and domesticated edge”; although I have not found any significant harm to character or appearance in this case, for the reasons I have briefly set out above I consider that the appeal site has a different relationship with the nearby built-up area to that in *Snape*. In the *Snape* decision, the delivery of affordable homes was also given significant positive weight in the planning balance by the Inspector; this scheme would not provide affordable housing. The different site-specific circumstances, as well as differences in the scale and nature of the two schemes, means that my reaching a different conclusion in this appeal is justified.
18. The appeal site is outside the development boundary defined in the NELLP, and the proposed development would therefore conflict with the plan-led spatial strategy for the delivery of housing. It would therefore also conflict with Policies 3 and 5 of the 2018 NELLP, the relevant provisions of which I have set out at paragraphs 7 and 8 above.

Other Matters

19. Earlier this year the Council held a consultation on potential housing sites as part of reviewing its local plan. It includes several sites along Cheapside, and the appellants state that the appeal site has also been promoted through that review process (though it was not highlighted on the relevant map

extract provided to me). I have not been provided with any information about the outcome of that stage of the review, but I do not infer from the fact that it is taking place that it is the Council's hope, intention, or expectation that all of those sites should ultimately be allocated for residential development. It is in the nature of preparing or reviewing a development plan that some of the sites considered will fall away for various reasons. That the appeal site or its neighbours have been promoted or considered at an early stage of the local plan review does not carry significant weight in favour of the appeal scheme.

Planning Balance and Conclusion

20. The Government's objective is to significantly boost the supply of housing. The proposed development would provide eight new market dwellings. There would be a short-term economic benefit during the construction phase, which would be carried out by a local builder. Given the small scale of the appeal scheme, these benefits would be modest; I therefore give them moderate weight in the overall balance. A lack of significant harm to the character or appearance of the area is a neutral factor.
21. From the evidence before me, it is apparent that the Council can demonstrate a housing land supply of more than five years. Paragraph 15 of the Framework emphasises that the planning system should be genuinely plan-led. The appeal scheme would be outside a development boundary, and would undermine the plan-led approach to the delivery of housing. This matter carries substantial weight, and outweighs the benefits associated with the development.
22. The proposal would therefore conflict with the development plan. There are no other considerations, including those of the Framework, that outweigh this conflict. Therefore, for the reasons outlined above, I conclude that the appeal should be dismissed.

M Cryan

Inspector



Appeal Decision

Site visit made on 28 November 2024

by C Skelly BA (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 DECEMBER 2024

Appeal Ref: APP/B2002/W/24/3347464

204 Welholme Road, Grimsby, North East Lincolnshire, DN32 9JB

- 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 Omed Mohammed against the decision of North East Lincolnshire Council.
 - The application Ref is DM/0250/24/FUL.
 - The development proposed is change of use from shop to barber shop new shopfront and metal shutter to same.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Whilst a revised version of the National Planning Policy Framework was published on 12 December 2024 (the Framework), the sections relevant to this appeal remain unchanged. Therefore, the principles that apply to this decision remain the same.
3. The change of use to a barber shop has been completed. A shutter has been installed on the inside of the shopfront window, which differs from the details of the proposal submitted as part of the application. However, I have considered the appeal on the basis of the submitted plans.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the historic shopfront.

Reasons

5. The appeal site is a two-storey brick-built property located in a terrace of dwellings. It has a traditional proportioned shopfront, with a recessed doorway and a range of traditional features including timber fascia, stallriser and pilasters. This gives it a distinctive appearance which makes a positive contribution to the character of the area. The appeal site is located near to the junction with Heneage Road and there are a range of uses in the immediate area including a primary school and local convenience store.
6. The proposal is for the removal of the existing timber framed windows to be replaced with UPVC windows. The recessed door element would be brought into line with the windows and a metal, solid shutter would be installed to the front. The existing timber pilasters would not be altered. The roller shutter would be positioned across the shop window below the fascia.

7. Policy 39 3(b) of the North East Lincolnshire Local Plan 2013 to 2032 (2018) (LP) states that development will be supported where proposals conserve and, where appropriate, enhance other historic landscape and townscape features, including historic shopfronts. Although the appeal site is not a designated heritage asset it makes a clear, positive contribution to the historic character of Welholme Road. I note that it is one of only 66 properties within North East Lincolnshire which has an intact or virtually intact historic shopfront.
8. The proposed replacement of the timber windows with UPVC would erode the traditional appearance of the shopfront. Although the replacement windows would be charcoal in colour, they would replace two windows with three, whilst the horizontal timber transom detailing would also be removed. These changes would significantly alter the traditional proportions of the shop window and fail to preserve its historic character. Despite the retention of the pilasters and fascia the proposed alterations to the shopfront would harm the character and appearance of the host property.
9. The use of a solid roller shutter would obscure the traditional shop window when it is closed. Although this usage would be limited to when the shop is shut, there would be extensive periods of time when it is down, during which, harm would be caused. When the roller shutter is open, the eye would be drawn towards the shutter box and its side guides, detracting from the original features of the shopfront. I note the appellants comments that the shutter box could easily be removed in the future, however it would still cause harm to the character and appearance of the shopfront whilst it remains in place.
10. The appellant has referred me to the primary school opposite the site, which is also a building of local historic or architectural interest and has UPVC windows. I have no details before me including the circumstances which led to permission being granted for these windows. I also note that the property was locally listed after the changes to the windows. Nevertheless, this building has different architectural features to the appeal site and therefore is not directly comparable.
11. The proposal would harm the character and appearance of the historic shopfront. It thereby conflicts with policies 5, 22 and 39 of the LP, which seek amongst other things to provide high standards of sustainable design and conserve and enhance historic townscape features including historic shop fronts.

Other Matters

12. The appellant states that the roller shutter is required to prevent the shopfront glazing being broken. However, I have not been provided with any alternative solutions which could protect the glazing and therefore cannot be satisfied that there are other no alternative options which would be less harmful than the proposed solid shutter.

Conclusion

13. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal should be dismissed.

C Skelly

INSPECTOR