

**NORTH LINCOLNSHIRE COUNCIL**

Appeal by TES Property Ltd

Planning permission to construct a single-storey rear (infill) extension, convert the garage into a study room, and change fenestration in front elevation of an existing HMO

4 Holme Hall Avenue, Bottesford, DN16 3PY

Appeal Statement

Local Authority Reference: PA/2025/742

Planning Inspectorate Reference: APP/Y2003/D/25/3370758

September 2025

## 1. Introduction

1.1 This statement is submitted by North Lincolnshire Council in response to the appeal against the refusal of planning permission for a rear infill extension, conversion of a garage into a study room, and changes to the front windows and doors.

1.2 The application subject of this appeal was refused at planning committee on 30/07/2025 with the decision notice dated 04/08/2025. The application was refused on the following grounds:

(1) The proposal would result in increased traffic movements and parking demand near a busy junction, to the detriment of highway safety and the free flow of traffic. The development is therefore contrary to policies T2 and T19 of the North Lincolnshire Local Plan.

(2) The proposed scale and intensity of use would constitute overdevelopment of the site and fail to respect the established character of the surrounding area. The development is therefore contrary to policies DS1 of the North Lincolnshire Local Plan, and CS1 and CS2 of the North Lincolnshire Core Strategy.

## 2. Appeal Site and Constraints

2.1 The appeal site comprises a detached dwelling situated on Holme Hall Avenue, within the defined development boundary. The surrounding area is predominantly residential, characterised by similar detached and semi-detached two-storey homes, typically set back behind front gardens and driveways. The site lies approximately 20 metres from the junction where Holme Hall Avenue meets Manor Road. To both the west and east, the site adjoins detached two-storey residential properties. An outbuilding is positioned tight to the south-western corner of the appeal plot.

## 3. Planning History

**Application:** PA/2025/218

**Proposal:** Application for a certificate of lawful development for the proposed change of use from a residential dwelling (Use Class C3) to HMO (Use Class C4) with six bedrooms/six persons

**Decision:** Approve - A certificate of lawful development was granted for the proposed change of use from a dwellinghouse (Use Class C3) to a small House in Multiple Occupation (Use Class C4) for six persons.

**Decision Date:** 15/05/2025

## 4. LPA's Statement of Case

4.1 The refusal reasons are based on two principal grounds: (1) highway safety and parking provision, and (2) overdevelopment and harm to local character. The proposals were therefore refused with reference to Policies DS1, T2 and T19 of the

North Lincolnshire Local Plan (NLLP), and Policies CS1 and CS2 of the North Lincolnshire Core Strategy (NLCS).

4.2 Turning first to the issue of highway safety and parking, the property benefits from a lawful development certificate confirming its use as a house in multiple occupation (HMO). The submitted floor plans indicate six bedrooms spread across the ground and first floors. This level of accommodation has the potential to accommodate six residents, each of whom could reasonably be expected to own a vehicle. This generates a parking demand for six spaces on site. However, the submitted plans demonstrate capacity for only five off-street spaces. The shortfall in provision would inevitably result in vehicles being displaced onto the surrounding highway network. The site is located only around 20 metres from the junction of Holme Hall Avenue and Manor Road, a busy local distributor road, and additional on-street parking in such proximity to the junction would increase the risk of congestion and conflict between vehicles, pedestrians and cyclists. Moreover, the intensification of vehicle movements to and from the site on a daily basis, associated with up to six residents, would give rise to highway safety concerns. For these reasons, the proposal is contrary to Policies T2 and T19 of the NLLP, which seek to ensure safe and adequate provision for vehicle parking and to protect the free flow of traffic on the highway network, as well as Policy DS1 which requires development to be accessible and safe.

4.3 In terms of the impact on character and overdevelopment, the proposed extensions combined with the provision of cycle storage within the rear garden would significantly reduce the amount of usable private amenity space on the site. The remaining garden area would be markedly smaller than that typically associated with other properties in the locality, which generally benefit from more generous rear plots. This reduction in outdoor amenity space, coupled with the intensification of the built form on the site, would result in a cramped and overdeveloped appearance at odds with the prevailing pattern of development. The surrounding residential area is characterised by relatively spacious plots with detached dwellings set within well-proportioned gardens, and the proposal would therefore appear out of character in this context. Accordingly, the scheme conflicts with Policy DS1 of the NLLP, which seeks to protect the character and appearance of residential areas, and with Core Strategy Policies CS1 and CS2, which require new development to respect local character, contribute positively to the built environment, and avoid overdevelopment of plots.

## **5. Comments on the Appellant's Case**

5.1 The appellant argues that the refusal reasons are not valid, saying the works are only a small rear extension and a garage conversion, which they believe would not change how the house is used or affect highway conditions. This ignores the fact that the property already has a lawful development certificate as a six-bedroom HMO. The concern is not just about the extension itself but about the cumulative effects of a larger building, cycle shed and the loss of the garage, which together make the site more cramped and increase the pressure on parking and traffic.

5.2 On highway safety and parking, the appellant highlights that five parking spaces are shown and claims this is more than what the Local Plan requires for a six-person HMO. This takes the policy out of context. In reality, the property could have six occupiers, each with a car. That creates a need for six spaces, not five. The shortfall means cars will likely park on the road. As the site is only about 20 metres from the junction of Holme Hall Avenue and Manor Road, any extra on-street parking here would affect visibility and make vehicle manoeuvring more difficult. It would also add to the number of vehicles using a busy road close to the junction. Therefore the appeal proposal conflicts with T2 and T19 of the NLLP.

5.3 The appellant also points to the cycle storage as a way to reduce car use. While secure cycle parking is a positive step, it does not remove the fact that in this suburban area most residents will still rely on cars. Policy CS2 of the Core Strategy supports walking, cycling and public transport, but it does not allow development that creates unsafe parking or highway conditions.

5.4 On character and overdevelopment, the appellant says the extension would simply “square off” the footprint and improve the layout. However, when the extension, cycle storage and use of the property are taken together, the private garden space left is much smaller than what is normal for nearby houses. The site would look cramped compared with the more generous plots around it. This goes against Policy DS1 of the Local Plan and Policies CS1 and CS2 of the Core Strategy, which require development to respect the character of the area and avoid overdevelopment.

5.5 For these reasons, the Council maintains that the appellant’s case does not answer the issues raised at refusal. The scheme still conflicts with Policies DS1, T2 and T19 of the Local Plan, and Policies CS1 and CS2 of the Core Strategy, and the appeal should be dismissed.

## **6. Planning balance and Conclusion**

6.1 The appeal proposals are not acceptable. They would lead to harmful impacts on highway safety and parking because of the shortfall in off-street parking spaces and the site’s location very close to a busy junction. In addition, the proposals would result in overdevelopment of the site, leaving an unusually small rear garden and creating a cramped appearance that does not respect the more spacious character of the surrounding residential area. For these reasons, the development is contrary to Policies DS1, T2 and T19 of the North Lincolnshire Local Plan, and Policies CS1 and CS2 of the North Lincolnshire Core Strategy.

6.2 The Council therefore considers that the harm identified clearly outweighs any benefits of the scheme. The Inspector is respectfully asked to give weight to the concerns set out in this statement and to dismiss the appeal.