

Appeal Decision

Site visit made on 16 September 2016

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 September 2016

Appeal Ref: APP/E2001/D/16/3154051

34 Barmby Road, Pocklington, York YO42 2DP

- 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 and Mrs James Wilson against the decision of the East Riding of Yorkshire Council.
 - The application Ref DC/16/00720/PLF/WESTWW, dated 26 February 2016, was refused by notice dated 28 April 2016.
 - The development proposed is alterations plus single storey and two storey extensions to rear to provide additional living accommodation.
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Decision

1. The appeal is dismissed insofar as it relates to the erection of single storey and two storey extensions to rear to provide additional living accommodation. The appeal is allowed and planning permission is granted for the erection of a front porch at 34 Barmby Road, Pocklington, York YO42 2DP in accordance with the terms of the application Ref DC/16/00720/PLF/WESTWW, dated 26 February 2016, subject to the conditions set out in the schedule to this decision.

Procedural matters

2. While the appellants have described the proposal as in the above heading, the Council has referred to it as the erection of single storey and first floor rear extensions and a new porch at the front of the appeal dwelling. From my inspection of the plans, the Council's description more accurately reflects the development sought. I have assessed the proposal on that basis.
3. The postcode of the appeal property is given on the application form lodged with the Council as YO42 2XD, whereas the rest of the evidence before me refers to it as YO42 2DP. For consistency, I have referred to YO42 2DP as the postcode of the appeal dwelling in the above heading and in my decision.
4. At the site visit, I viewed the site from 36 Barmby Road with the consent of the occupiers of this adjacent residential property and did so unaccompanied.

Main issue

5. The Council raises no objection to the proposed front porch. I, too, find this element of the appeal scheme acceptable because it would be modest in scale, height and depth, and appropriate in design and appearance. The new front
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porch would respect the character and qualities of the host building and be in keeping with the character and appearance of the local area.

6. Consequently, the main issue in this appeal is the effect of the proposed rear extensions on the living conditions of the occupiers of 36 Barmby Road with particular regard to sense of enclosure and natural light.

Reasons

7. The appeal property is a mainly 2-storey house within a predominantly residential area, wherein dwellings vary in type, scale and design. The proposal is to erect a single storey and a first floor extension at the rear of the main house and to introduce a new porch at the front of the appeal dwelling.
8. To one side of the site is 36 Barmby Road, which is a single storey dwelling. Within the side elevation of No 36 that faces the site is a ground floor window that serves a bedroom. This window provides the sole source of natural light and external outlook to a main habitable room within which occupiers could be expected to spend a reasonable amount of time. For brevity, I shall refer to this opening as the window.
9. From the window, I saw that the sidewall of the appeal dwelling is evident just beyond the driveway that separates Nos 34 and 36. Due to its considerable height and close position, the existing sidewall of No 34 visually dominates the outlook from the window. When looking out of the window, the imposing presence of the existing sidewall of No 34 creates a feeling of being 'hemmed in'. This wall would also influence the natural light reaching the bedroom that it serves. In those circumstances, it seems to me that any increased sense of enclosure or reduction in natural light to the window could be significant.
10. With the ridge and eaves levels set noticeably below those of the host building, and the inclusion of a shallow dual pitched roof, the first floor element of the proposal has been designed to reduce its visual impact on, amongst other things, the occupiers of No 36. However, by elongating the 2-storey sidewall of No 34, the proposal would replace the already limited view of the sky from the window with substantial new built form. In doing so, the first floor element of the proposal, due to its scale, height and close proximity, would unduly heighten a sense of enclosure for the occupiers of No 36. The height and position of the new sidewall would also reduce the amount of natural light entering into the window. This loss of natural light would exacerbate the visual impact of the new development, causing it to overbear on the occupiers of No 36 when seen from the window.
11. In reaching these conclusions, I note the appellants' opinion that the use of the bedroom would be functional and that occupiers would sleep at night when the outlook from and natural light to the window would be less important because it would be dark. However, shift workers may, for instance, wish to sleep at other times of the day and occupiers, more generally, may want to use the bedroom for other purposes during the day. That a netted curtain is draped across the window may simply reflect an understandable desire to prevent overlooking from the adjacent driveway rather than indicate a lack of importance of natural light into the bedroom that the window serves.

12. On the main issue, I therefore conclude that the proposed first floor rear extension would significantly harm the living conditions of the occupiers of No 36. Accordingly, it conflicts with Policy ENV1 of the East Riding Local Plan 2012–2029 Strategy Document insofar as it aims to safeguard residential amenity. It is also at odds with a core principle of the National Planning Policy Framework, which is to always seek to secure a good standard of amenity for all occupiers of land and buildings.

Other matters

13. Reference is made to a nearby development at Prospect House, Barmby Road, which the appellants consider would have a greater impact on the area and local residents than the proposal. Whether or not that is the case, it is the specific relationship between the sidewall of the proposed development and the ground floor bedroom window of No 36 that is objectionable in this instance.
14. The proposal would provide additional living space for the appellants and I note that no objection is raised in its relationship to the host building. However, this consideration does not outweigh the significant harm that I have identified.
15. The proposed front porch is acceptable in planning terms. Unlike the new single storey rear addition, the new front porch is clearly severable to the proposed first floor rear extension. Therefore, I am able to issue a split decision that grants planning permission solely for it.

Conditions

16. In addition to the standard time limit condition, it is necessary to impose a condition that requires the development to be carried out in accordance with the approved plans for certainty. To ensure the satisfactory appearance of the front porch, it is also necessary to require that the external materials used match those of the existing building.

Conclusion

17. Overall, for the reasons set out above I conclude that the appeal should be dismissed in part and allowed in part.

Gary Deane

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) That part of the development hereby permitted shall be carried out in accordance with the following approved plans: Refs 1015/1377/01, 1015/1377/02A and the Promap that shows the site edged red.
- 3) The materials to be used in the construction of the external surfaces of the front extension hereby permitted shall match those used in the existing building.