
Appeal Decision

Site visit made on 15 November 2016

by William Fieldhouse BA (Hons) MA MRTPI

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

Decision date: 6th December 2016

Appeal Ref: APP/E2001/D/16/3161806

4 Eastfield Close, Beverley HU17 9PW

- 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 Keith Dales against the decision of East Riding of Yorkshire Council.
 - The application ref DC/16/02187/PLF/EASTSE, dated 28 June 2016, was refused by notice dated 6 September 2016.
 - The proposal is described as "the demolition of existing garage and the erection of a two-storey extension (revised submission with a lower visual profile and a 23% reduced floor area)".
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. As is reflected in the description of development, this is a revised proposal following the withdrawal of an earlier planning application for a similar scheme.

Main Issue

3. The main issue is the effect that the proposal would have on the living conditions in 3 Eastfield Close.

Reasons

The Site, its Surroundings, and the Proposal

4. The appeal relates to a two-storey, semi-detached house with a single garage to the side which is attached to a similar garage at no. 3. The garages are 2.8 metres high at the front with mono-pitched roofs that slope down to a height of 2 metres at the rear. The other properties in the cul de sac are of similar layout and design. Whilst there are houses in the wider surrounding area that have two-storey side additions, none of the properties on Eastfield Close have been extended in such a way.
5. The proposal would entail the demolition of the garage on the appeal site and the erection of a two-storey side extension that would adjoin the front corner of the house and project back at a slight angle. It would be 3.9 metres in width, standing 0.7 metres from the side boundary with no. 3; 5.2 metres in depth, slightly less than the adjoining garage; and 4.7 metres in height to the eaves, compared to 5.5m on the main dwelling. The roof would be hipped, sloping

away from no. 3 up to a ridge height of 6.65 metres, compared to 8.15m on the main dwelling.

Living Conditions

6. The proposal would not project beyond the rear of the existing garage at no.3 which would to some degree screen the new structure when seen from the adjoining property. However, a two-storey wall some 5.2 metres in length and 4.7 metres in height would be erected only 0.7 metres from the shared side boundary and less than 5 metres from the side elevation of no. 3. Whilst the appeal site is at a slightly lower level and the proposed roof would slope away, the side wall would be considerably higher than the garage and the ridge would be closer to the adjoining property than the existing dwelling. The proposal would, therefore, be clearly visible from no. 3 above the garage and existing screen fence.
7. The main kitchen window in no. 3 is in the side elevation to the rear of the garage. The new two-storey pitched-roof structure would be set forward of this, but it would be clearly seen from that window albeit at an angle. Similarly, it would also be visible from the main sitting out area at no. 3 which is a short distance behind the garage beyond a small bin storage area and trellis fence. From these perspectives, the proposal would appear as a somewhat overbearing structure due to its height and proximity.
8. Furthermore, the two-storey extension would be to the south east of the kitchen window and sitting out area at no. 3. Thus, whilst the amount of sunlight to this window and patio will already be restricted by existing buildings and structures, the erection of a building of the height proposed in such close proximity would inevitably lead to a loss of direct sunlight to the window and back garden of no. 3 at certain times.
9. The proposal includes a first floor bedroom window in the side elevation that would potentially overlook the kitchen window and back garden of no. 3. However, as this would be a secondary window which is intended to provide natural daylight rather than outlook, a planning condition could be imposed if the appeal were to be allowed to require the opening to be fitted with obscure glass and fixed closed.
10. I conclude on the main issue that the proposal, due to its effect on outlook from and light to the main kitchen window and back garden, would materially harm the living conditions at no. 3 Eastfield Close contrary to national policy¹ and policy ENV1 of the East Riding Local Plan Strategy Document (2016) which collectively seek to achieve high quality design and ensure a good standard of amenity for the occupants of buildings.

Other Matters

11. The appellant has clearly made a considerable effort to design and assess a scheme, including through the preparation of three-dimensional models and photographic analysis of the proposal and surrounding area, with the intention of minimising the impact on the adjoining property. However, the particular design and layout of the houses on this cul de sac means that a two-storey side

¹ National Planning Policy Framework paragraph 17, 4th bullet point.

extension of the type proposed, which could potentially be comfortably accommodated in other residential areas, would cause material harm for the reasons that I have set out above.

Conclusion

12. By virtue of the conflict with local plan policy ENV1, the proposal would not be in accordance with the development plan and material considerations do not indicate that planning permission should be granted. I therefore conclude that the appeal should be dismissed.

William Fieldhouse

INSPECTOR