The Planning Inspectorate

Appeal Decision

Site visit made on 4 February 2020 by Ifeanyi Chukwujekwu BSc MSc MIEMA CEnv AssocRTPI

Decision by Chris Preston BA (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 March 2020

Appeal Ref: APP/H0724/D/19/3240565
69 Kesteven Road, Hartlepool, TS25 2NJ

- 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 Graeme Steele against the decision of Hartlepool Borough Council.
- The application Ref H/2019/0307, dated 4 July 2019, was refused by notice dated 7 October 2019.
- The development proposed is new garage first floor bedroom, kitchen and dining-room extension, ground floor w.c and sunroom.

Decision

1. The appeal is allowed, and planning permission is granted for construction of a new garage first floor bedroom, kitchen and dining-room extension, ground floor w.c and sunroom at 69 Kesteven Road, Hartlepool, TS25 2NJ in accordance with the terms of the application, Ref H/2019/0307, dated 4 July 2019, subject to the following 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: Sheet 1 of 3 (Existing floor plans, existing and proposed elevations and existing and proposed block plan), Sheet 2 of 3 (Proposed floor plans and sections) and Sheet 3 of 3 (Location Plan).

    3) The external surfaces of the development hereby permitted shall be constructed in the materials detailed on the application form.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal upon the character and appearance of the host dwelling and the surrounding area.

Reasons for the Recommendation

4. No. 69 is a two storey semi- detached dwelling located along Kesteven Road in the Fens area of Hartlepool. The property has had some extensions added to the original building over the years. The surrounding area is residential and is predominantly characterised by semi- detached dwellings of a similar size and design. A number of the dwellings in the area have also been altered and extended over time.

5. The Council raised no objection to the single storey front extensions, including the proposed works to the garage and porch. The delegated officer report states that those elements would not have a significant impact on the basis that they would not protrude beyond the footprint of the existing garage or porch. As pointed out by the appellant, and as can be seen on the proposed plans, that assessment was incorrect because the proposed front elevation would sit slightly further forward than the existing garage. Notwithstanding that point, I am satisfied that the scale of the ground floor elements would be subservient to the scale of the dwelling and would not look out of place in the surrounding street scene on account of the fact that a number of properties benefit from front extensions and canopies of varying design and proportions.

6. The Council states that it would ordinarily expect first floor extensions to the side to be set back from the front elevation by a metre or set in from the shared boundary by a metre in order to prevent a terracing effect and ensure a subservient appearance. However, from the information provided this requirement does not appear to be fixed in policy but would appear to be a rule of thumb. I recognise that the desire to ensure that domestic extensions have regard to the character and appearance of the locality and the proportions of existing dwellings are based on good design principles but in the absence of a fixed policy requirement it is necessary to assess the merits of the scheme based on the circumstances of any given case.

7. In this instance, both parties agree that the proposed first floor extension would be set back from the existing principal front elevation by approximately 0.3metres. The ridge height of the extension would be built flush to the existing host property ridge line. The set back from the proposed first floor level from the common boundary would be approximately 0.3metres. Although modest, this setback would help to avoid a strong terracing effect at the front of the property and the forward projection of the ground floor garage and porch element would help alleviate the appearance of the extension so that it does not dominate the overall appearance of the property.

8. At present, the neighbouring property has not been extended at first floor level and a visual break would be maintained between the two properties. In addition, there is a shared alleyway that splits the appeal property with 67 Kesteven that would maintain a separation between the two, albeit small, should the neighbouring property be extended in the same way. As such, the proposed first floor bedroom would not appear visually intrusive or unacceptably prominent on the street scene.

9. The Council has referred to side extensions at Nos. 63 and 65 both of which feature first floor setbacks of approximately one metre. However, as set out above, I do not find any evidence to suggest that this distance is a prescriptive policy requirement. Furthermore, as observed on my site visit there are a number of two-storey side extensions both in the immediate vicinity and wider

area, which are not set back at first floor. The appellant has specifically referred to 27 Kesteven Road, 59 Kesteven Road, 86 Kesteven Road, 142 Kesteven Road and 50 Kesteven Road in which the two-storey extension sits flush with the original elevation. As a result, this has become somewhat characteristic of the area and there is no defined style.

10. The proposed extension would therefore not be incongruous with the character of the surrounding area and having regard to the specific circumstances of the proposal and its relationship with neighbouring properties, I am satisfied that the modest set back and the relationship between the ground floor extensions and first floor element would result in a well-balanced extension that would not be out of scale or proportion with the existing property.

11. I find that proposal would not have a detrimental impact on the character and appearance of the host dwelling or the surrounding area and find no conflict with the National Planning Policy Framework (NPPF) and policies QP4 and HSG11 of the Hartlepool Local Plan (2018) which seek amongst other things to ensure that new developments are of high quality design and would not adversely affect the character of the surrounding area.

Conditions

12. In addition to the standard time limit condition a condition is necessary to ensure that the proposed development is carried out in accordance with approved plans, in the interests of clarity. It is also necessary to attach a condition to ensure that the materials used are in accordance with the details on the application form in order to ensure a satisfactory appearance.

Conclusion and Recommendation

13. For the reasons given above and having had regard to evidence before me, I recommend that the appeal should be allowed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report, and on that basis, I agree that the appeal should be allowed.

Chris Preston

INSPECTOR