



Appeal Decision

Site visit made on 24 February 2020 by L Wilson BA (Hons) MA MRTPI

Decision by Chris Preston BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2020

Appeal Ref: APP/E2001/D/19/3242777
20 Grovehill Road, Beverley HU17 0ED

- 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 Michael Harrison against the decision of East Riding of Yorkshire Council.
 - The application Ref 19/02765/PLF, dated 7 August 2019, was refused by notice dated 15 October 2019.
 - The development proposed is described on the application form as "proposed dormer extension to the front and rear, single storey extension to the rear and proposed outbuilding to the bottom of the garden."
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Decision

1. The appeal is dismissed.

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.

Procedural Matters

3. Notwithstanding the description of development set out above, it is clear from the plans and accompanying details that the rear dormer was removed from the scheme. The Council dealt with the proposal on this basis and so shall I.

Main Issue

4. The effect of the proposed extension on the living conditions of the occupiers of No. 22 Grovehill Road (No. 22), with regard to outlook and light.

Reasons for the Recommendation

5. The appeal property is a terraced dwelling situated within a residential area. The property has a two-storey and single-storey projection to the rear. The Council raised no objection to the proposed front dormer or outbuilding and I see no reason to disagree with that assessment. The Council's main objection relates to the proposed rear extension.
6. The extension would be marginally set in from the boundary and have a depth of approximately 7.095m with a width between 1.84m and 4.5m. The extension would have a height of approximately 2.475m to the eaves and 3.985mm to the ridge, with a lean-to roof section 3m high. The scheme would

- be adjacent to the existing boundary wall which has a height of around 1.4-1.6m.
7. The East Riding of Yorkshire Council Design Guidance for House Extensions (DG) provides guidance for single storey rear extensions. The DG states that a single storey extension should not project more than 3.5 metres behind the rear wall of the neighbouring property. Where an extension is set away from the boundary, the projection can be increased, usually by the distance it is from the boundary. The scheme would therefore conflict with this guidance.
 8. Similar to the appeal site, No. 22 is an 'L' shape to the rear. No. 22 has a window on the original rear elevation which serves a dining room. On the side elevation, facing the appeal site, it has a door and a window which serves a kitchen. These habitable rooms are not served by any other windows. There is a further window on the side elevation which has obscure glazing and serves a bathroom. To minimise the extensions impact upon No. 22, it has been designed with a roof pitch sloping down towards the boundary.
 9. The appellant has provided massing models in an attempt to demonstrate that the scheme would have minimal impact upon outlook and light. The proposal would not have a negative impact upon the outlook of the bathroom window given the obscure glazing. However, the development would dominate the outlook from particularly the kitchen window because of the height and depth of the extension located in proximity to the window. In contrast the relatively open outlook presently enjoyed, those using the kitchen would be faced with a blank gable wall at close proximity which would limit outlook and create an undue sense of enclosure. The dining room window would also be affected but to less of a degree as it faces towards the garden rather than the appeal property. Accordingly, the proposed development would have an overbearing, oppressive and dominating impact which would have a detrimental effect on the outlook of habitable rooms.
 10. As a result of the existing two-storey rear projections of both the appeal property and No. 22, the scheme would not result in an unacceptable loss of direct sunlight or daylight reaching No. 22's habitable rooms. The massing models help to demonstrate that the extension would not reduce levels of light beyond what could reasonably be expected. Consequently, the dining room and kitchen would still receive adequate daylight and sunlight.
 11. In support of the extension, the appellant has drawn my attention to an appeal allowed in 2014 at No. 26 Grovehill Road¹. I do not have the full details of this case and so cannot determine whether the circumstances are comparable to the proposal before me. It is not clear whether the proposed extension has the same height and distance to the boundary as the extension at No. 26 and whether the height of the boundary treatment between the properties are identical. Similarly, it appears that the extension was granted planning permission before current policy and design guidelines were in force.
 12. In addition, although the height of the extension would be lower than what could be constructed under permitted development, its depth would be significantly greater than that which could be permitted without requiring the prior approval of the Council. Reference has also been made to the fact that the boundary hedge could be extended up to the rear of the dwelling and

¹ 14/00041/REFUSE

grown to a similar height as the proposed extension. Whilst that may be the case it is by no means clear that the appellants would take that course of action if the appeal was dismissed, particularly as a high boundary enclosure would impact on the outlook from their own existing kitchen and dining room windows. Consequently, reference to other appeals or alternative scenarios does not alter my conclusions on the impact of the development in question.

13. For the reasons given above, although the proposed rear extension would not result in a significant loss of light, it would result in the living conditions of the occupiers of No. 22 being significantly adversely affected by a loss of outlook. Consequently, the proposal would conflict with Policy ENV1 of the East Riding Local Plan 2012-2029: Strategy Document (2016), the DG and the National Planning Policy Framework. These Policies seek, amongst other matters, to promote good design and have regard to the amenity of existing properties.

Conclusion and Recommendation

14. For the reasons given above I recommend that the appeal should be dismissed.

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

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

Chris Preston

INSPECTOR