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## Appeal Decision

Site visit made on 29 January 2020

**by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 April 2020**

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**Appeal Ref: APP/H0724/D/19/3236912**

**23 Redwood Close, Hartlepool TS27 3QN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant full planning permission.
  - The appeal is made by Mr Kevin Powell against the decision of Hartlepool Borough Council.
  - The application Ref H/2019/0273, dated 13 June 2019, was refused by notice dated 8 August 2019.
  - The development proposed is a two-storey side extension.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are:
  - The effect of the development proposal on the character and appearance of the area; and
  - The effect of the development on highway safety, with particular reference to driveway access.

### Reasons

#### *Character and appearance*

3. The appeal property is a 2-storey detached dwelling located on the corner of Redwood Close, a T-shaped residential cul-de-sac in Hartlepool. The neighbourhood is comprised largely of detached dwellings with quite open frontages. There is garden space on three sides of the appeal dwelling. The garage is accessed from a section of Redwood Close running to the side of the property.
4. The appeal proposal comprises a 2-storey side extension located on the area of garden between the house and Redwood Close. It would be slightly set-back at the front at first-floor level and would have an end-gable roof set-down slightly from the existing front facing gable. At the front the extension would be almost the same width as the existing dwelling.
5. The extension would be built of materials matching as far as possible those of the existing dwelling. The plans show the extension as accommodating a kitchen, hall and garage at ground floor and 2 bedrooms (one with en-suite), a bathroom and a store cupboard at first floor level. The main entrance would be

relocated from the side of the dwelling to the front. Notwithstanding the appellant's contention that this entrance arrangement might be regarded as being more conventional I noted that many of the properties in the cul-de-sac are accessed from the side rather than from the front.

6. The open frontages ensure that there are largely uninterrupted outlooks across and along the cul-de-sac from several vantage points. The appeal site occupies a prominent corner position in the cul-de-sac. I did not see any other side extensions within the immediate neighbourhood, and it was clear that most of the dwellings had not been significantly changed at the front or side since they had been constructed.
7. The first-floor set-back and set-down would help to convey the impression that the proposed extension is subservient to the original dwelling. However, because of its significant size and bulk, extending as it would almost to the pavement of Redwood Close, the appeal proposal would dominate, and indeed, almost completely sever, views from one end of the cul-de-sac to the other. Consequently, it would look out of place and incongruous.
8. In coming to this finding, I acknowledge that the proposal would not cause any reduction in the living conditions of occupants of neighbouring dwellings through loss of sunlight or loss of outlook. Further, I am also mindful that the application did not receive any objections from neighbours.
9. For the above reasons, therefore, I find that the development proposal would cause harm to the character and appearance of the neighbourhood. It would therefore fail to accord with Policy HSG11(1) and (2) of the Hartlepool Local Plan 2018 (LP) which require that residential extensions are of an appropriate size and design, and that they do not adversely affect the character and appearance of the area. Furthermore, it would fail to accord with Policy QP4(1) of the LP which seeks to encourage development that is of an appropriate scale.
10. In addition, it would be inconsistent with the advice set out in Paragraphs 124, 127 and 130 of National Planning Policy Framework (the Framework) that the design of new development should be of a high quality that respects the character and appearance of the local area.

#### *Driveway access*

11. The architect's drawings do not include a plan showing the alignment of the driveway linking the proposed garage to the cul-de-sac. Nevertheless, given the position of the garage at the end of the proposed extension it would appear that the driveway would cut across the front lawn and intersect with the radius of the cul-de-sac at the point where cars would be making a turn.
12. Vehicle speeds within the cul-de-sac are restricted and therefore cars should be driven very slowly. One nearby property in Greywood Close has a corner access to a large driveway although I am not aware as whether this has been a source of any highway safety issues.
13. The Council's highways officer did express concerns about the driveway intersecting with the curb along the radius. Nevertheless, although this is not an ideal arrangement, because of the speed restrictions in place within the cul-de-sac I find that it would not constitute a threat to driver or pedestrian safety.

14. The Council requires there to be 3 parking spaces for a 5-bedroom house. The existing garage and driveway could accommodate 2 vehicles. As the proposed garage would fail to comply with the Council's minimum size standard, it cannot be counted towards meeting the 3-parking space requirement. However, notwithstanding the absence of a drawing the area of garden in front of the house is large enough to accommodate a driveway with space for at least 1 vehicle, bringing the overall capacity to the required level.
15. Therefore, I find that the development proposal would accord with Policy HSG11(6) of the LP which requires that proposals for new residential extensions do not prejudice road safety. It would also accord with advice set out at Paragraph 108 of the Framework that new development should incorporate a safe and suitable access to the site.

### **Conclusions**

16. I have found that the proposal would not prejudice road safety. However, I have found that it would cause harm to the character and appearance of the area. I consider this conflict with the development plan outweighs my other considerations. For this reason, the appeal is dismissed.

*William Walton*

INSPECTOR