



Appeal Decision

Site visit made on 11 January 2021 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: 26 January 2020

Appeal Ref: APP/E2001/D/20/3261454

10 Beech Close, Sproatley HU11 4XB

- 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 Paul Jarvis against the decision of East Riding of Yorkshire Council.
 - The application Ref 20/01391/PLF, dated 4 May 2020, was refused by notice dated 4 September 2020.
 - The development proposed is the erection of a two storey extension to side, erection of a rain shelter to front and alterations to access and drive.
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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.

Preliminary Matters

3. I have taken the description of development in the banner heading above from the Council's decision notice and the appeal form as it provides a more accurate description of the proposal due to the scheme being revised.

Main Issue

4. The effect of the proposed extension on the living conditions of the occupiers of No. 29 Westlands Road (No. 29), with particular regard to outlook and light.

Reasons for the Recommendation

5. The appeal relates to a semi-detached dormer bungalow located at the end of a cul-de-sac in a residential area. The appeal scheme seeks to extend the property to the side, towards No. 29. The extension would broadly follow the boundary line and fill the majority of the gap between the dwelling and side boundary. At its largest point, it would measure approximately 4 metres in width, 10m in depth and 5.5m in height to the ridge level and would be finished in render.
6. No. 29 is a two-storey semi-detached property with a conservatory to the rear, patio adjacent to the conservatory and small garden which adjoins the appeal site. The extension would sit closer to the common boundary, than the existing

side elevation, and would be significantly higher than the existing boundary fence and wall.

7. The appellant considers that the occupiers of No. 29 would have an unrestricted outlook over Beech Close. However, I noted on my site visit that, particularly from the ground floor windows and patio of No. 29, the eye naturally looks towards the side elevation of the appeal property rather than Beech Close due to the orientation of the sites. The height of the extension and its proximity to the common boundary would result in an unacceptable impact upon the living conditions of the occupiers of No. 29 because the outlook from particularly the conservatory would be dominated by the large blank wall and would result in an oppressive form of development. Accordingly, the development would have a detrimental impact upon the outlook from No. 29's habitable rooms because of the height and depth of the extension and its proximity to the adjacent windows. I recognise that the appellant proposes to use render in the side elevation, as opposed to brick. However, I am not satisfied that the lighter colour would adequately mitigate against the impact arising from the scale and proximity of the gable wall.
8. The scheme would also have an oppressive impact upon the outlook from the garden given the size of No. 29's garden and the location of the patio. The extension would be clearly visible from the patio and would result in the sense of enclosure. Subsequently, the garden would be dominated by a high blank wall due to the siting and height of the extension.
9. The development would not result in an unacceptable loss of light reaching the rear of No. 29 and its garden area or significantly overshadow it due to the siting of the two properties and the orientation of the sun. The rear of No. 29 is south facing, and the existing built development will already result in some overshadowing. Thus, the rear elevation of No. 29 and its garden would continue to receive suitable levels of light.
10. For these reasons, although the development would not result in a significant loss of light, it would result in the living conditions of the occupiers of No. 29 being adversely affected, with regard to outlook. Consequently, the scheme conflicts with Policy ENV1 of the East Riding Local Plan 2012 – 2029 (2016), the East Riding of Yorkshire Council Design Guidance for House Extensions and the Framework which seek, amongst other matters, to promote good design which has regard to the amenity of existing occupiers.

Conclusion and Recommendation

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

L M Wilson

APPEALS PLANNING OFFICER

Inspector's Decision

12. 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