
Appeal Decision

Site visit made on 29 June 2021

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 July 2021

Appeal Ref: APP/V2004/D/21/3271954

16 Hornscroft Park, Kingswood, Hull, East Yorkshire HU7 3GS

- 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 & Mrs Mike & Debra Langrick against the decision of Kingston-upon-Hull City Council.
 - The application Ref: 20/01514/FULL, dated 23 November 2020, was refused by notice dated 1 February 2021.
 - The development proposed is a two storey rear extension with mono pitch roof.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's reason for refusal which concerns living conditions refers to the effect on neighbouring properties. The Planning Officer Report mentions one such property, 15 Hornscroft Park (No 15), and so I have considered this reason for refusal on this basis.

Main Issues

3. The main issues are the effect of the proposed extension on (i) the living conditions of the occupiers of No 15 by way of visual impact and outlook; and (ii) the effect on the character and appearance of the building.

Reasons

Living Conditions

4. The appeal property comprises a 3 storey house at the end of a short terrace. No 15 is a neighbouring detached 2 storey property which is sited further forward. As a consequence, the facing gable end wall of the appeal property projects past the rear elevation of No 15. This side wall is separated from the common boundary by the narrow width of a pedestrian access to the rear garden. The boundary itself is defined by a wooden fence. On the side of No 15 is its own rear garden and a small patio area. The nearest opening to the boundary at ground floor level is a set of patio doors.
5. The proposed extension would further increase the distance that the appeal property projects back from the rear elevation of No 15. With the short distance to the boundary and with its 2 storey height, the resultant scale and

- the level of enclosure would cause an undue overbearing effect. In these terms, it would not be a modest extension on the rear of the appeal property.
6. Such an effect would also reduce the outlook from the rear of No 15, in particular from the patio doors with their proximity to the extended appeal property. Whilst the proposed extension would be positioned at an angle to the rear of No 15, its presence would be to cause a significant level of detrimental visual impact. That the rear of No 15 would still be afforded an outlook down that property's own garden and in other directions does not lessen the reduction in outlook that would result from the proposed extension itself. Nor would this be impacted by the size of No 15's rear garden.
 7. I am mindful that the layout of this modern housing estate results in a staggered arrangement in the siting of a number of dwellings. However, the way in which the existing layout affects living conditions would have been assessed during the determination of the related planning application(s). Clearly, this would not have included the proposed extension that is for my consideration. Considering the effect on living conditions is also dependent on the particular proposal and the site circumstances. As such, the existing layout on the estate does not alter my conclusion, including where I have been referred to other existing properties. For the reasons that I have set out, this counts against the proposed extension.
 8. The Council's Planning Officer Report has referred to guidance in the Council's SPD1: Designing a House Extension (SPD1) where it states that a 2 storey rear extension to a semi-detached or terraced house should not adversely affect the main ground floor, habitable room windows of the adjoining dwelling. This seems to relate more to an attached dwelling, and so would not apply to No 15. Nevertheless, SPD1 also cautions that such extensions can have a serious impact on the amenity of the occupants of nearby dwellings, as would result in this case with regard to No 15.
 9. I conclude that the proposed extension would have an unacceptable effect on the living conditions of the occupiers of No 15 by way of visual impact and outlook. Therefore, it would not comply with Policy 22 of the Hull Local Plan 2016 to 2032 (2017) (Local Plan) where it states that house extensions should be designed to minimise their impact on the amenity of neighbouring occupiers and the surrounding area, including that the design should not over-dominate or unduly enclose the neighbouring properties or the property itself, amongst other considerations. Similarly, it would not comply with SPD1 in this regard where it considers that house extensions should not adversely affect any of the amenities of nearby occupants.

Character and Appearance

10. The 3 storey form of the appeal property and the fairly steep roof pitch give rise to a vertical appearance. The openings on the rear elevation are set out in a broadly balanced manner. The rear elevation is well screened from the streetscene due to the fairly dense arrangement of dwellings.
11. The roof design of the proposed extension would differ somewhat from the existing property, in particular as the roof pitch would be at a lower angle. Still, this would result in the extension having a more subservient appearance on the rear of the property. It would also moderate its scale against the much larger backdrop of the existing house.

12. The roof ridge would cut across the 2nd floor window sill level of the existing house. Nonetheless, in the round, the design of the proposed extension would still give the rear elevation of the house a fairly balanced appearance and it would not be out of keeping. In overall terms, it would not fail to respect the appearance of the host property.
13. There would also not be a particular conflict with the related design guidance contained within SPD1 because its size and design would respect the existing building, even if the style, shape and proportion would differ to some extent. The effect on the surrounding streetscene would be very limited due to the screening afforded by the existing dwellings.
14. I conclude that the proposed extension would not have an unacceptable effect on the character and appearance of the building. Hence, it would comply with Policy 14 of the Local Plan where it is concerned with development demonstrating how its design supports the delivery of a high quality environment, particularly with regard to the relationship between the development and the surrounding built form in terms of the character and scale, amidst other criteria. It would also accord with SPD1 in this regard where it is concerned with an extension harmonising with the existing building.

Other Matters

15. The proposed extension would not have an unacceptable effect on the living conditions of the occupiers of No 17 Hornscroft Park. It would not project past the rear elevation of that neighbouring property to the same degree as No 15 because No 17 has its own single storey rear element. The absence of an unacceptable effect in this respect, as with the effect on the character and appearance of the building, attract neutral weight.
16. I am not unsympathetic to that the proposed extension would improve the living environment for the appellants and the family, enabling better enjoyment of the house and the rear garden. However, these are largely personal matters and would not outweigh the harm that would arise.
17. The appellant has submitted a letter of support from a neighbour. There was also an objection from a different neighbour at the application stage. Such matters are, though, to be considered on their own planning merits and in this case they do not favour the proposal.

Conclusion

18. Whilst I consider that the proposed extension would be acceptable with regard to the effect on the character and appearance of the building, the effect on the living conditions of the occupiers of No 15 would be unacceptable and is decisive. Accordingly, I conclude that the appeal should be dismissed.

Darren Hendley

INSPECTOR