The Planning Inspectorate

Appeal Decision

Site visit made on 3 August 2021 by Darren Ellis MPlan

Decision by Chris Preston BA (Hons) BPl MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 September 2021

Appeal Ref: APP/V2004/D/20/3260753
87 Desmond Avenue, Hull, HU6 7JX

- 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 Rev. Scott Mckay against the decision of Hull City Council.
- The application Ref 20/00178/FULL, dated 7 February 2020, was refused by notice dated 8 April 2020.
- The development proposed is a 2 storey side extension.

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.

Main Issues

3. The main issues are the effect of the development on:

    - the character and appearance of the existing dwellinghouse, the adjacent tenfoot access and the street scene; and
    - the living conditions of the occupiers of neighbouring properties and on the users of the adjacent tenfoot access, with particular regard to outlook.

Reasons for the Recommendation

4. The appeal property is a detached two-storey dwelling on the corner of Desmond Avenue and Claremont Avenue. Owing to its position, the plot has a triangular shape and the dwelling is set slightly behind the building line of the both streets. A gated private tenfoot access runs between the appeal property at 1 Claremont Avenue and along the rear of the properties on the north-eastern side of Claremont Avenue, with a second gate at the other end of the tenfoot access joining Beresford Avenue.

5. Desmond Avenue and Claremont Avenue consist primarily consist of terraced dwellings, although there are a few semi-detached and detached two-storey dwellings. They are constructed with a similar design, materials and architectural features. Overall, the properties in the streets have a cohesive appearance and rhythm which makes a significant contribution to the character

of the street. The appeal dwelling shares those characteristics and is a two storey structure of simple proportions, with an attractive two storey bay to the front and prominent side gable which emphasises the well-balanced proportions of the property. The simple original footprint has been eroded to a degree by the flat roofed extensions but their impact on the wider street scene is limited on account of their limited height and relatively concealed location.

6. As a result of the triangular shape of the plot and the position of the dwelling, the proposed side extension would be narrow at the front of the dwelling and get progressively wider, with the rear of the extension being of a similar width to the existing dwelling. Due to the shape of the extension, the proposal would result in a large two-storey projection adjacent to the tenfoot access that would appear to have a greater depth than the existing dwelling. This would be exacerbated by the additional flat-roof two-storey element.

7. Although the extension would be set back from the front elevation and the side boundary, and the ridge would be slightly lower than the main ridge line, the substantial scale and massing of the extension would not result in a subservient addition to the property. Moreover, the irregular shape of the extension would contrast awkwardly with the simple proportions of the existing dwelling and the flat roofed rear wing would represent an unsympathetic design solution that would fail to reflect the pitched roof profile of the original property. Whilst the existing extensions incorporate flat roofs, they are less conspicuous, as described above, in contrast to the proposed rear element which would be in full view from adjacent vantage points. Consequently, the proposal would be discordant with the appeal property, the adjacent tenfoot access and the street scene and would detract from its character and appearance.

8. During my site visit I observed examples of other properties in the area where the main dwelling and/or extensions were immediately adjacent to the highway. However, there were very few two-storey extensions adjacent to the highway, and those I saw had a significantly reduced projection adjacent to the highway than the proposal before me. Where rear extensions are adjacent to the highway, such as at 1 Claremont Avenue, these extensions were single storey in nature and therefore are of considerably less scale and massing than the appeal proposal.

9. For these reasons, I conclude that the proposed development would cause harm to the character and appearance of the appeal property, the adjacent tenfoot access and the street scene. As such the proposal would conflict with policies 14 and 22 of the Hull Local Plan (November 2017) (LP), which requires development to be of a high-quality design, including with regards to scale and massing, that is well related to the size and siting of the existing building.

10. The proposed extension would be separated from the rear garden of No 1 by the tenfoot access. Despite the scale of the extension, this separation between the properties would prevent any excessive sense of enclosure to the occupiers of No 1.

11. The dwelling at No 1 is immediately adjacent to the tenfoot access close to the street. The proposed extension would be situated to the rear of the dwelling at No 1, and as such would avoid any significant tunnelling effect or sense of enclosure to users of the tenfoot access.

12. For these reasons, I conclude that the proposal would not cause any undue harm to the living conditions of the occupiers of No 1 or to the users of the tenfoot access.

13. However, the proposal would cause harm to the character and appearance of the appeal property, the adjacent tenfoot access and the street scene. In light of this, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Darren Ellis

APPEAL 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 with the recommendation and shall dismiss the appeal.

Chris Preston

INSPECTOR