



Appeal Decision

Site visit made on 18 January 2022

by S Heywood BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3rd February 2022

Appeal Ref: APP/V2004/D/21/3284638

163 Cottingham Road, Hull, HU5 2EG

- 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 Glen Jordan against the decision of Kingston-Upon-Hull City Council.
 - The application Ref PP-09586780, dated 3 March 2021, was refused by notice dated 20 July 2021.
 - The development proposed is a single storey garage to front, single storey extension to the rear and car port to side.
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Decision

1. The appeal is allowed and planning permission is granted for a proposed single storey garage to front, single storey extension to the rear and car port to side at 163 Cottingham Road, Hull, HU5 2EG in accordance with the terms of the application, Ref PP-09586780, dated 3 March 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 2306.01, 2306.02, 2306.03 Rev C, 2306.04 Rev F.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used on the main dwelling.

Main Issues

2. The main issues in this appeal are as follows:
 - i. The impact of the development on the living conditions of adjoining occupiers;
 - ii. The effect of the proposed development on the character and appearance of the Newland Park Conservation Area.

Reasons

Living conditions

3. The proposed single storey garage to the front of No. 163 would be erected along the shared boundary and sited to the west of No. 161 Cottingham Road. The main door and some of the smaller ground floor windows at No. 161 would

face the proposed extension. The extension would be separated from these windows by the width of the driveway to the side of No. 161.

4. The proposed extension would project forward of the front elevation of No. 163 to align with the front face of No. 161. It would therefore affect the outlook from the side windows of No. 161 and whilst using the front door and driveway, resulting in a greater sense of enclosure to the space than at present. It would also lead to a loss of sunlight later in the day at certain times of the year.
5. Nevertheless, the proposed extension would be single storey only and with a flat roof. It would not therefore be unduly high in relation to the property at No. 161. I noted that the driveway at No. 161 is slightly lower than the ground level at No. 163. However, the floor level of the house steps up from the driveway. This would reduce the impact of the extension when viewed from within the property.
6. The outlook from No. 161 would alter as a result of the proposed front extension. However, the height of the extension would ensure that it would not appear significantly oppressive or overly dominant when using the driveway and door to No. 161, nor when viewed from the side windows. At some times of the year sunlight from the south would still reach the driveway earlier in the day through the gap between the two properties.
7. Furthermore, the driveway is an area which will be used in a transient way whilst entering and exiting the property, moving from front to back and whilst using vehicles. There is a large garden to the rear of the property which will be unaffected by any change in outlook or loss of sunlight from the proposed front extension. The side windows are also not the main outlook from No. 161 and there are much larger windows to both the front and rear of the property, overlooking the garden areas, which would be unaffected by the proposed front extension.
8. Having regard to the impact on the property to the west (No. 167), the proposed front extension would be far enough away so as not to cause any harm to the living conditions of the occupiers of that property.
9. I note that it may have been a requirement when the original house was built that it was set back behind the side windows of Nos. 161 and 167. However, the considerations would have been different for a two storey dwelling compared to the single storey garage which is before me.
10. I turn now to the proposed car port, rear extensions and other alterations. The proposed extension between the existing garage and lounge would have no material impact on adjoining occupiers due to its location and single storey design. Similarly, due to its limited size and height and its distance from the property at No. 167, the proposed car port would have limited impact on the living conditions of the occupiers of No. 167.
11. The development would incorporate a balcony above the proposed kitchen and sitting area. This would abut part of the rear garden area of No. 161. However, a single storey outbuilding in the rear garden of No. 161 and the positioning of mature evergreen and deciduous trees within that garden, would limit the intervisibility between users of the proposed balcony and the adjoining garden. The proposed balcony would therefore be unlikely to cause significant problems of overlooking or loss of privacy to the garden area of No. 161.

12. Policy 14 of the Hull Local Plan relates to design and the relationship between the development and surrounding built form. Policy 22 relates specifically to house extensions. It requires that extensions should not over-dominate or unduly enclose neighbouring properties and should minimise impacts of overshadowing, loss of daylight and loss of privacy. The Council's Supplementary Planning Document SPD1: Designing a House Extension (SPD1) contains similar advice. For the above reasons, I conclude that the proposed extensions and alterations would not cause significant harm to the living conditions of adjoining occupiers and the proposal would not conflict with Policies 14 and 22 of the Hull Local Plan or with SPD1.

Impact on the Conservation Area

13. The property is located within the Newland Park Conservation Area. The character and significance of the Conservation Area is derived from the setting of detached or semi-detached properties with individual styles set in large plots with mature gardens. Many of the houses within the Conservation Area were constructed in the late 1800s or early 1900s, although there are many examples of later construction. The Council's Conservation Officer indicates that the appeal property was constructed in the 1950s. It is a detached red brick property with a hipped roof and hipped gable to the front. The property is of a simple design, different in age and style to the adjoining properties at Nos. 161 and 167, both of which have their own individual style.
14. The proposal includes rendering and painting the property white. Whilst this would alter the appearance of the property, there is a mixture of brick and white render on properties in the Conservation Area, including half rendering on the adjoining property at No. 161. This alteration would cause no harm to the appearance of the existing property and it would preserve the character and appearance of the Conservation Area.
15. The proposed rear and side extensions would be subordinate to the existing dwelling and of an acceptable design, in keeping with the dwelling and the character and appearance of the Conservation Area.
16. The proposed front extension would be rendered to match the dwelling, it would incorporate curved corners and an overhanging parapet onto the existing driveway. A grid of small square openings on the end wall facing Cottingham Road would alleviate and add interest to an otherwise blank elevation. The design of this front extension would be in keeping with the alterations proposed to the main dwelling. Its location, set back from the road behind an area of planting, together with its modest height and the screening afforded by an existing hedge running along the front boundary would mean that the extension would be an unobtrusive feature in the street-scene.
17. The front extension would obscure views gained across the driveway of No. 163 of the attractive side door to No. 161 with its decorative arched surround. However, due to the orientation of No. 161 and the existence of the boundary hedge along the front of the appeal property, such views are limited and are not prominent or significant in the street-scene.
18. Policy 14 of the Hull Local Plan seeks to ensure that development has regard to the character of its surroundings, relationship to heritage assets, scale, detailing and materials, amongst other matters. Policy 16 sets out the considerations which apply to development in heritage settings. This policy

states that development which preserves the significance and setting of heritage assets will be supported. SPD1 advises that extensions should be subordinate and should respect the character of the street and existing building. Whilst it advises that front extensions should normally incorporate a pitched roof, this would not be appropriate in this case due to the increased impact of additional height on the adjoining property.

19. For the above reasons, I conclude that the proposal would preserve the character and appearance of the Conservation Area and would leave its significance unharmed. It would not conflict with Policies 14 or 16 of the Hull Local Plan and would be in accordance with the principles set out in SPD1.

Other matters

20. I note concern expressed by the occupiers of No. 161 regarding the future use of the property. However, there is no evidence before me of any proposed use other than as a residential property. Any future change of use which required planning permission would be considered having regard to the circumstances that existed at that time.
21. I note concern regarding the effect on property values, however this is a private interest that is not material to my decision.

Conditions

22. In addition to the standard time limit for commencement of development, for the avoidance of doubt as to the development approved, I have included a condition that development should be in accordance with the submitted plans. In order to ensure a satisfactory appearance to the extensions, I have included a condition requiring materials to match those on the main dwelling, allowing for the materials on the main dwelling to change from the existing.

Conclusion

23. For the reasons given above I conclude that the development complies with the development plan as a whole and the appeal should be allowed.

S Heywood

INSPECTOR