



Appeal Decision

Site visit made on 14 June 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 July 2022

Appeal Ref: APP/V2004/D/22/3294582

203 Priory Road, Kingston-Upon-Hull HU5 5RY

- 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 P Buckle against the decision of Kingston-Upon-Hull City Council.
 - The application Ref 21/01703/FULL, dated 14 December 2021, was refused by notice dated 8 February 2022.
 - The development proposed is 'Installation of dropped kerb for vehicular access and vehicle turn table'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The immediate area where the appeal site is located is characterised by short terraces in alignment along Priory Road separated by narrow gated alleyways or 'tenfoots'. Further to the north along Priory Road, the terraces are interspersed by semi-detached housing. The street is predominantly tree lined with grass verges separating the footpath from the road, providing a pleasant 'green' and spacious feel to the area. The verge is largely uninterrupted to the front of terraced properties, though there are gaps in places accommodating communal parking, bus stops and access to the tenfoots. Modest front gardens to the terraces provide opportunities for additional tree or shrub planting and boundary hedges that further soften the built development in places.
4. Whilst there are several examples of front garden parking along Priory Road, within the immediate stretch of terraced dwellings there are very few, and I did not observe any dedicated dropped kerbs directly serving mid-terraced dwellings. Examples of front garden parking at end-terrace properties typically have taken vehicular access from an adjacent tenfoot or a shared driveway thereby do not feature a dedicated dropped kerb. There are also examples of dropped kerbs and in-curtilage parking at semi-detached dwellings on Priory Road. However, given the additional space between pairs, this can be accommodated without dominating the entire front garden and leaves a greater proportion of verge in front of the property intact. The existing examples of front garden parking and dropped kerbs along this stretch of Priory Road are

therefore not directly comparable to the appeal site or proposal. Other examples in Calvert Road would not be seen with the appeal scheme.

5. The introduction of a car within the front garden and a dropped kerb is therefore not characteristic of the terraced properties and would add clutter to the street scene. Whilst the front garden is currently predominantly paved and gravelled, there are two small trees in the corners of the garden, which highlights the potential for it to support planting even in its current form. Given the limited space at the front of the dwelling, and the area likely to be required to rotate a car, this will occupy most of the front garden, leaving little space for any tree or shrub planting. Furthermore, the proposal will result in loss of a significant portion of the grass verge in front of the property. The scheme would therefore erode the space and greenery that currently provides the distinction between the road and the terraces and remains largely intact.
6. Whilst finishing materials for hard surfacing could be conditioned to complement the adjoining footway, the identified harm is due to the loss of grass verge and provision of front garden parking, and so cannot be overcome with sympathetic hard standing materials.
7. The proposal would therefore unacceptably harm the character and appearance of the area. As such, it would be contrary to policies 14 and 28 of the Hull Local Plan 2016 to 2032, adopted November 2017, which amongst other things seek to ensure development supports the delivery of a high quality environment and that new vehicle crossovers on to classified roads are acceptable in terms of impact on the character of the surrounding area and streetscene.

Other Matters

8. There is no compelling evidence before me to demonstrate that the proposal would improve highway safety or reduce the risk of crime. It may be the case that the proposal would not have an adverse impact with respect to these matters, or on the living conditions of neighbours, highway trees or flood risk, subject to the use of planning conditions where necessary. However, the absence of harm with respect to other relevant matters is a neutral factor, rather than a benefit. This does not therefore outweigh the identified harm with respect to the main issue.
9. Many properties retain rear garages, including the appeal site, and this is understood to currently provide parking for one vehicle. Even if I were to agree that access to the rear of the appeal property via the existing tenfoot is poor, the scheme does not include closing up this access.
10. I have had regard to the previous appeal decision on the site for a shared vehicular crossing. This appeal was dismissed based on the issue of highway safety. As the inspector dismissed the appeal on that basis, there would have been no need for them to consider character and appearance in their decision. Whilst the council may not have cited the impact on the character and appearance of the area as a reason for refusal in that instance, this was in respect of a different proposal considered under a different planning policy environment. Ultimately each application is considered on its own merits and a previous decision does not fetter the ability to identify harm in a later proposal.

Conclusion

11. The proposed development conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict. Therefore, for the reasons given above, I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR