



Appeal Decision

Site visit made on 11 July 2022

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27TH July 2022

Appeal Ref: APP/E2001/D/22/3300065

56 Butterfly Meadows, BEVERLEY, HU17 9GA

- 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 Ian Hall against the decision of the East Riding of Yorkshire Council.
 - The application Ref 21/03515/PLF, dated 17 September 2021, was refused by notice dated 6 May 2022.
 - The development proposed is the erection of a garage and a boundary wall to the side of the property.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The ground-floor plan on the submitted Drawing No 2111N 2, shows the proposed garage as having a solid side wall. However, the application form indicates that the garage would be constructed out of white UPVC cladding with a wall to screen it, and this appears to be borne out by the side elevation drawing. I have taken the description on the application form to represent the proposed construction/materials.

Main Issue

3. The main issue in this case is the effect of the proposed garage and boundary wall on the character and appearance of the area around Butterfly Meadows.

Reasons

4. No 56 is a detached house situated on a corner plot at a junction of roads within the complex cul-de-sac estate that is Butterfly Meadows. It currently has a lean-to, open-ended car port to the side which appears to be constructed of white UPVC. This car port extends out from the side elevation of the house to the rear of the pavement. The car port is apparently unauthorised and the current proposal involves its replacement with an alternative structure, constructed from white UPVC with a plastic terracotta tile-effect mono-pitch roof, garage doors to the front, and a single door and window in the rear elevation. The proposal would also involve moving the wall/fence currently at the side of the rear garden, to a position at the rear of the pavement, which would then continue forward as a solid wall along the side of the garage.

5. Policy ENV1 of the Council's Local Plan Strategy Document (LP) indicates that development will be supported where it achieves a high quality of design that contributes to a sense of place. This will be accomplished by, amongst other things, having regard to the specific characteristics of the site's wider context and the character of the surrounding area.
6. The Council's Design Guidance for House Extensions (DG) indicates that the design of any extension should blend with the design of the dwelling, and with the surrounding area. The streetscape character of an area may also be a major determining factor in deciding whether an extension is acceptable. The streetscape of an area is determined by, amongst other things, the degree of enclosure created by the built environment in the street, and the character of the space between buildings.
7. The Council contends that, due to the siting, height and design of the boundary wall and garage to the side, the proposals appear as unduly dominant, alien and incongruous features within the street scene, creating a sterile environment on a prominent section of Butterfly Meadows. The structure would create a hard edge in a location that is for the most part characterised by open boundary treatments, with any solid boundary features set back from the highway to retain a sense of openness in the streetscene.
8. The appellant contends that the proposed development would improve the security of the property; that a side wall and garage are not unusual in the area; that the proposal is to use similar bricks to those used in the construction of the house and existing wall; and that the design of the wall is used throughout the estate, as evidenced by photographs submitted with the appeal statement.
9. The prevailing character of the area along Butterfly Meadows is one of openness, with a repeating feature of verges or open spaces to the side of houses at and around junctions. The appeal property, along with the other three houses around the same road junction, exhibits the typical feature of the area, which is a low wall with fence panels above to the rear of the property only, effectively enclosing and providing a degree of privacy to the rear garden. Around the junction, and at other similar key locations around the estate, this feature is repeated, such that the area adjacent to the side wall of the house is left open, whilst rear garden walls only commence at a point level with or close to the rear elevation of the dwelling. In the case of No 56, the space to the side of the house is occupied by a car port. The current proposal would involve the replacement of the car port with a garage, and the movement of the rear garden wall to a location at the rear of the pavement. Both of these elements are uncharacteristic and unsympathetic in such a location within the area.
10. The appellant makes note of the other three houses around the same junction. I note that No 5 has a characteristic verge to the side of the house and a rear garden wall that commences close to the rear elevation of the house. No 133 has a rear garden wall that commences only a little forward of the rear elevation of the house, while most of the side of the house is enclosed by low railings that preserve its open nature. No 74 opposite has a substantial open side, as would presumably have been the case with the appeal property before the current car port was erected. No 74 also has a rear garden wall that commences almost level with the rear elevation of the house. The proposed development at No 56 would not blend in with the streetscape in this area.

11. Other houses mentioned by the appellant within the Butterfly Meadows estate and beyond have different situations or circumstances and are not, therefore, examples that can be viewed as a precedent for this current proposal.
12. Finally, the siting of the appeal property is such that it is highly visible in the street scene when entering the Butterfly Meadows estate from Lockwood Road. As such, it would appear as a prominent, uncharacteristic feature with a sense of enclosure that would not respect the context of the surrounding area. I acknowledge that it would appear less immediately strident than the current car port, but it would, nevertheless, be out of character.
13. I note the concern that the appellant has about improving the security of his property, but parking of cars on front drives or in front garden areas appears to be a common characteristic within the area and, in this case, I consider that any security issues that may exist would not outweigh the harm to the character and appearance of the area caused by the proposal.
14. In the light of the above, the proposal at No 56 would be significantly out of character with its surroundings. The proposed wall would be at the rear of the pavement, which would not preserve the open nature of the development around the junction. Furthermore, it would extend along the whole of the side of the house, creating a sense of enclosure unsympathetic to the openness of the surrounding area. Finally, the garage would utilise some uncharacteristic materials and would be visible above the proposed wall/fence along the side boundary, albeit by a small amount.

Conclusion

15. I find that the proposed garage and side wall/fence would not reflect the specific characteristics of the site's wider context, and would not respect the generally open character and appearance created by the built environment in Butterfly Meadows, especially around road junctions. On this basis, it would be harmful to the character and appearance of the area around Butterfly Meadows. It would, therefore, conflict with Policy ENV1 of the LP, and with guidance in the DG, which largely conforms to guidance in Section C1 of the National Design Guide. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR