



Appeal Decision

Site visit made on 29 November 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2022

Appeal Ref: APP/E2001/D/22/3301618

16 Greville Road, Hedon HU12 8DP

- 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 Lisa Jones against the decision of East Riding of Yorkshire Council.
 - The application Ref 22/00281/PLF, dated 27 January 2022, was refused by notice dated 28 April 2022.
 - The development proposed is erection of dormers and bay window extensions.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development in the banner heading is taken from the application form. The description on the Council's decision notice is 'erection of first floor extension to rear, bay window to front and construction of dormer to front' which more accurately describes the proposal and is what I have based my decision on.
3. The Council does not consider that the proposed front bay window would be an unacceptable addition. From the submitted evidence and my site visit observations, I have no reason to take a different view. My decision therefore focuses on the first floor rear extension and the front dormer.

Main Issues

4. The main issues are the effects of the proposed development on:
 - the character and appearance of the area; and
 - the living conditions of nearby residents with regard to light, outlook and privacy.

Reasons

Character and Appearance

5. The appeal property is a semi-detached bungalow with an existing dormer and single storey extension to the rear. It lies within a mainly residential area comprising single and two storey detached and semi-detached dwellings, with several in the vicinity having been extended or modified. There is therefore a varied built form in the area.

6. The proposed front dormer would be clearly visible from Greville Road and surrounding area. It would be of a flat roof design slightly set in from the sides and along the bottom of the roof so there would be some roof verge plane visible, although this would be very limited. It would occupy the majority of the front roof plane of the property and as a result would be of a disproportionate size and scale to the host dwelling. The proposed dormer would therefore be an overly dominant feature within the roof of the host dwelling that would significantly detract from its appearance.
7. The proposed first floor rear extension would be less visible from public vantage points due to the screening effect of the existing built form. It would nevertheless be visible from some vantage points on Greville Road to the north and along Villiers Court. I appreciate that there are examples of rear extensions to properties in the vicinity, including the adjoining bungalow. However, the proposed rear extension would appear out of scale with the modest host dwelling. It would not be a subservient addition.
8. The depth, width and height of the proposed front dormer and the scale of the rear flat roof first floor extension would introduce a large area of bulk and mass to the roof, fundamentally altering its shape and unbalancing its form, particularly due to their combined effect. The proposed development would therefore unacceptably dominate the host dwelling. The use of matching materials would not adequately mitigate this.
9. My attention has been drawn to other dormers and extensions in the area. No detail has been provided regarding the particular planning backgrounds to those schemes. In any event, the fact that other extensions may have been permitted is not a reason, on its own, to allow unacceptable development. I have considered this appeal proposal on its own merits.
10. I therefore conclude that the proposed development, due to its overall scale, design and siting, would represent an incongruous addition to the host property that would be significantly harmful to the character and appearance of the area. Accordingly, it would conflict with sub-sections A.1, B.1 and B.3 of Policy ENV1 of the 2016 adopted East Riding Local Plan 2012 – 2029 Strategy Document (the ERLP SD). These require development proposals to respect the character and appearance of the area and have an appropriate scale, massing and height amongst other matters. It would also conflict with the design objectives of paragraphs 130 and 134 of the National Planning Policy Framework (the Framework) and sections C1 and C2 of the National Design Guide.

Living Conditions

11. The small rear garden of 2 Villiers Court will already likely experience some shading due to the property at no. 16 which is due south, and the relatively tall boundary fence and planting. However, while appreciating that the overall height of the appeal property would not increase, the proposed rear first floor extension would extend the depth of the built form at first floor level further along the boundary with the rear garden of no. 2. Due to its orientation, height, and projection close to the shared boundary, the proposed rear first floor extension would likely noticeably increase the degree and duration of overshadowing of the rear garden of no. 2. I note the appellant's plan showing a 45 degree angle from the rear garden. However, this test is not readily applicable to this situation where the extension would not be perpendicular.

12. The proposed rear extension would result in a brick wall of just over five metres in height close to and running along the full length of the boundary with 2 Villiers Court. The height and extent of the resulting gable wall would create a dominant feature that would have an overbearing effect and would result in a loss of outlook for residents when in the rear garden.
13. The adjoining property at 18 Greville Road has a dormer roof extension with a window close to the boundary with the appeal property. The proposed rear extension would project some four metres beyond this window and would appear as a solid feature. Its length and proximity would combine to result in a dominant and overbearing feature when seen from the nearest first floor window of no. 18.
14. The windows in the existing rear dormer of the appeal property face towards the rear garden of 4 Villiers Court and enable some overlooking. However, the proposed rear extension would be much closer to the rear boundary of no. 4, with the Council's figures indicating just under five metres separation distance. The advice in the Council's Design Guidance for House Extensions is for a separation distance of ten metres. Occupiers of no. 4 would have a much greater perception of being overlooked when in the garden, given the proximity and height of the proposed rear first floor windows. The loss of privacy to residents of no. 4 when in the garden would therefore be more intrusive than is currently the case. This would be significantly detrimental to the enjoyment of this area by residents of this property.
15. I therefore conclude that the proposed development would have a significantly harmful effect on the living conditions of residents of neighbouring properties with regard to light, outlook and privacy. This would be contrary to the residential amenity requirements of sub-section B.4 of Policy ENV1 of the ERLP SD and paragraph 130 f) of the Framework.

Other Matters

16. While I have given the appellant's personal circumstances careful consideration, I am mindful of the advice contained in the Planning Practice Guidance that in general planning is concerned with land use in the public interest. I therefore find that this factor is not sufficient to outweigh the harm that would be caused contrary to the development plan.
17. I note the appellant's comments regarding the Council's handling of the case. However, in determining this appeal, I am only able to have regard to its planning merits.

Conclusion

18. The proposed development would conflict with the development plan taken as a whole as well as the Framework. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal should therefore be dismissed.

F Wilkinson

INSPECTOR