



Appeal Decision

Site visit made on 20 February 2023

by A Hunter LLB (Hons) PG Dip MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th April 2023

Appeal Ref: APP/V2004/D/22/3310661

160 Hall Road, Kingston Upon Hull HU6 8SD

- 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 & Mrs Danny & Adele Skerrett against the decision of Kingston-Upon-Hull City Council.
 - The application Ref 22/00798/FULL, dated 1 July 2022, was refused by notice dated 26 August 2022.
 - The development proposed is a dropped kerb and gravel hardstanding to front garden.
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Decision

1. The appeal is allowed and planning permission is granted for a dropped kerb and gravel hardstanding to front garden at 160 Hall Road, Kingston Upon Hull, HU6 8SD in accordance with the terms of the application, Ref 22/00798/FULL, dated 1 July 2022, 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 submitted plans: site location plan; and drawing ref. MAC3/Hall Road/Proposed.
 - (3) Before the access hereby approved is first brought into use, the existing front boundary treatment shall be lowered across whole site frontage so that it does not exceed 1.05m in height above the level of the adjoining public footpath. Thereafter, the front boundary treatment shall be maintained to not exceed that height in perpetuity.

Main Issue

2. The main issue is the effect of the proposed development upon the character and appearance of the area and the terrace of properties it forms part.

Reasons

3. The appeal site is a mid-terraced property, facing onto Hall Road. This part of Hall Road is relatively wide and is lined with trees to each side, a block paved public footpath abuts the front of the appeal site, with a grass verge between it and the carriageway, providing a spacious environment. No. 160 has a generous setback from the road and has both a long and wide front garden which contributes to the spacious character of the area. Its front garden has low fences to either side and a hedge and low-level railings across its front boundary.

4. The immediate area contains similar terraced and semi-detached properties along this straight part of the road with parking bays to both sides of the carriageway. Although probably not original for all such properties, several have dropped kerbs onto Hall Road, serving parking areas, including some close to the appeal site. Many of these are accessed through the parking bays, and across the verge and footpath.
5. The relatively wide grass verge and nearby established trees, would ensure that the new dropped kerb and modestly sized, block paved crossover, would not be prominent, conspicuous, or out of rhythm within the immediate area. Moreover, its appearance would be consistent with the many others nearby, ensuring the spacious open character of the area is maintained.
6. Furthermore, the generous setback of the appeal property from Hall Road, and the surrounding spacious environment including street trees, would ensure that the appearance of the gravelled parking area and parked vehicles would not be unduly prominent in the streetscene.
7. I therefore conclude that the proposed development would be sympathetic to the character and appearance of the area and the terrace of properties of which it forms part, in accordance with Policies 14 and 28 of the Hull Local Plan 2016-2032, adopted November 2017 (HLP), which amongst other things, requires development, to be high quality, have an acceptable impact upon the character of the streetscene, and include materials that complement the adjoining footway.

Other Matters

8. I note the Council's comment that a new dropped kerb in this location would reduce parking in the parking bay to the front of the appeal property. Whilst the proposal would be likely to result in a reduction in space for on-street parking, I observed that the parking bay close to the appeal site was quite long and would allow parking to either side of the proposed new dropped kerb. Although only a snapshot in time, I saw that there was plenty of available parking spaces in the bays nearby, and any such loss of parking would more than likely be offset by the front curtilage parking provided by the proposal. Consequently, this argument has not altered my conclusions on the appeal.

Conditions

9. I have imposed a standard implementation condition, along with a condition listing the approved plans, which details the ground surfacing materials and provides certainty over what has been approved. I have also found the Council's suggested condition regarding pedestrian visibility to be both reasonable and necessary to protect the safety of users of the footway, and to comply with Policy 28 of the HLP which requires new accesses to be safe. Following consultation with both parties the wording of the Council's suggested condition has been amended to ensure it relates to the appeal site only and is maintained in perpetuity.

Conclusion

10. For the reasons given above, considering the development plan as a whole and all relevant material considerations, the appeal is allowed.

A Hunter

INSPECTOR