



Appeal Decision

Site visit made on 7 February 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 29th February 2024

Appeal Ref: APP/V2004/D/23/3332978
65 Ings Road, Hull HU8 0LS

- 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 John Gregory against the decision of Kingston Upon Hull City Council.
 - The application Ref: 23/02782/FULL dated 14 June 2023 was refused by notice dated 1 September 2023.
 - The application is for erection of two storey side and rear extension (2.36m side projection x 5.1m rear projections x 7.57m height) following demolition of single storey outrigger, together with alterations to driveway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published in December 2023. I have therefore determined this appeal in accordance with the revised provisions within the Framework.
3. The description of development used on the appellants original application form differs from that used by the Council. In Part E of the appeal form the Appellants Agent has confirmed that the description used by the Council is the same as that intended. Accordingly, I have used the description used by the Council as this more accurately reflects the development proposed.
4. On visiting the site there was no answer from the occupants of the appeal property. However I was able to view the site from a rear footpath running alongside the rear garden. As such although I was physically unable to enter the property I was satisfied that I saw all of the issues at hand and fully appreciated the context that this proposal sat within.

Main Issues

5. The main issues are the effect of the proposal upon the character and appearance of the area and upon the living conditions of neighbours.

Reasons

6. The appeal property is a semi detached property located along the busy Ings Road in east Hull. The existing building has a two storey double bay window

arrangement beneath a front tile hung gable and a long sloping roof over the front door. To the rear there is a partial one and two storey outshut or outrigger extension that appears original to the house. In these respects I consider that the house reflects typical architectural devices used in the transition from traditional Victorian/Edwardian terraces to something more suburban.

7. The existing outrigger is covered with a mono pitch roof and contains a dining room and kitchen to the ground floor and a small bedroom above. The outshut is in alignment with the existing side elevation of the house and alongside and behind there is a prefabricated type garage. Further into the garden there is a timber garden shed.
8. The proposal before me seeks permission to modify and extend this rear outshut extension both at first floor level and to the side. As a result the proposal would demolish much of the existing structure and create a generous kitchen and dining area, along with a utility room to the ground floor and would enlarge the bedroom above into two spacious bedrooms. The outshut would therefore extend by around 2.3m to the side and around four or five metres to the first floor, whereby an asymmetrical pitched roof would be introduced over the ridge of the outshut.
9. In assessing this appeal I am aware of the Council's policies contained within the Hull Local Plan¹ (LP) that seek to encourage good design and protect the living conditions of neighbours. Of particular relevance is Policy 22 that states that house extensions should be designed to minimise their impact on the amenity of neighbours and not over dominate, overshadow or unduly enclose neighbouring properties. The policy also seeks to ensure proposals are subordinate to the main dwelling, contextual to the area and well related to existing buildings in terms of size, scale and siting. Such guidance is also reflected in the Council's SPD on House Extensions.
10. The scheme before me would significantly increase the size and scale of the rear outshut to this property. In so doing it would not only increase the height and extent of this structure, but it would also increase its proximity to the neighbouring property to the south east, number 63 Ings Road.
11. Number 63 has several windows upon its own rear outshut and upon the rear elevation of the house itself. The proposed extension would likely result in direct overshadowing of these windows late in the day and there would be a strongly over dominant impact through this proposal and the proximity of this two storey element to the rear. This would have the effect of harmfully enclosing the rear yard of number 63 which would cause a significant over dominant impact upon this property.
12. Similarly, the proposed extension would be directly to the south east of number 67 Ings Road. Currently the two storey outshut has been designed so as not to allow direct overlooking of neighbours. Conversely, this proposal would include a first floor window here which would directly overlook both the rear yard and the rear ground floor windows of number 67 thereby causing a serious adverse impact upon the privacy of neighbours through overlooking.

¹ Hull Local plan 2016 to 2032: Adopted November 2017.

13. When added to the highly likely overshadowing impact of such a large extension in this location, I must conclude that this proposal would cause similarly serious harm upon the living conditions of those at number 67 Ings Road also. Even when taking into account the close knit nature of the houses here, I do not consider that this dense context is sufficient to justify such harmful development that could have such a serious impact upon the living conditions of neighbours.
14. In terms of the effect of the proposal upon the character and appearance of the area, the proposed side extension would be set back somewhat from the front elevation and as such the impact upon the front elevation would be minor. However, there would be a further harmful enclosure between this appeal property and that of number 63 Ings Road which would further compound the effect upon the streetscene here and cause some further harm.
15. The existing house also still maintains something of an enclosed front garden, despite much of this area being used for parking. This garden enclosure reflects several other properties along this stretch of Ings Road where front gardens and greenery form a positive and defining attribute of the area.
16. This proposal however would require the whole front garden area to be turned over to car parking whereby the remaining garden wall would be completely removed and vehicles would be required to park directly in front of the house, each having direct ingress onto the highway.
17. The removal of the wall here and the dominance and extra visibility and exposure of vehicles, along with the blocking of the gap between houses here, would therefore cause harm to the appearance of the streetscene and would undermine the qualities that make a positive contribution to the character of the area.
18. In light of my findings above I consider that the proposal before me would be in direct conflict with Policies 14 and 22 of the Hull Local Plan as well as the guidance contained within SPD1: Designing House Extensions, all of which attempt to reflect the Framework in their endeavours to achieve good design that is both contextual and appropriate in their setting.

Conclusion

19. For the reasons given, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR