



Appeal Decision

Site visit made on 19 July 2024

by Peter D Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7TH August 2024

Appeal Ref: APP/E2001/D/24/3342533

80 Cawood Drive, Skirlaugh, East Yorkshire HU11 5EZ.

- 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 M Train against the decision of East Riding of Yorkshire Council
 - The application Ref 23/03107/PLF.
 - The development proposed is construction of dormer extensions to front and rear, alteration to window at front to create entrance following blocking up of entrance to side and construction of pitched roof over existing flat roof garage.
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Decision

1. The appeal is dismissed insofar as it relates to the dormer extensions.
The appeal is allowed insofar as it relates to the relocated entrance and garage and permission is granted for alteration to window at front to create entrance following blocking up of entrance to side and construction of pitched roof over existing flat roof garage at 80 Cawood Drive, Skirlaugh, East Yorkshire HU11 5EZ in accordance with the terms of the application, Ref 23/03107/PLF, and the plans submitted with it, so far as relevant to those parts of the development hereby permitted and 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 approved plans so far as relevant to those parts of the development hereby permitted: TRAIN 02 2019 1A; TRAIN 02 2019 2A; TRAIN 02 2019 3:
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The description of the proposal set out in the application form is incorrect as it does not refer to the relocation of the entrance from the side to the front. I have therefore used the description as it appears on the decision notice, which accurately describes the proposal.

Main Issue

3. The main issue is the effect the proposed development would have on the character and appearance of the semi-detached pair of bungalows and the surroundings of Cawood Drive.

Reasons

4. The appeal property sits in an estate of bungalows constructed in brick and tile which over time have become dominated by dormers to front and rear to provide upstairs living space.
5. The prevailing form of the dormers on Cawood Drive itself (certainly in the vicinity of the appeal site) are flat roof box dormers that are subordinate to the roof slope being set in from the gables, set down from the ridge and set up from the eaves. No 82 (the semi-detached neighbour to No 80) has such a dormer already installed on the frontage and to the rear.
6. At the east end of Cawood Drive and on Beningholme Drive there are examples of pitched roof dormers as per the appeal proposal but these, for the most part, are on detached rather than semi-detached houses.
7. I have been referred to No 10 Cawood Drive which the appellant points out has been granted consent for a similar format of dormer roof extensions to that proposed and which the appellant considers justifies the appeal proposal. However, the fundamental difference in that case is that the semi-detached neighbouring bungalow has no roof dormer to the front. I therefore do not consider the cases are sufficiently similar and I will determine the appeal proposal on its own merits.
8. What is proposed for No 80 is a pitched roof front and rear dormer which would stretch from the roof ridge over most of the roof. There would be a small set up from the eaves but only a very small set in from the sides of the roof. The result of constructing these dormers would be a top heavy addition to the roof which would be disproportionate to it and which would fundamentally change the character and appearance of the property. The adverse impact on appearance would be made significantly worse by the fact that No 82 already has a more proportionate, smaller, flat-roofed dormer. The appeal proposal would result in the positioning of a completely incongruous style of dormer alongside the existing which would be detrimental to the appearance of the paired bungalow and highly intrusive in views up and down the street.
9. Whilst I accept that the dormer to the rear would not have the same impact on views from the public realm on the street, it would still be a poor design solution viewed from the gardens and rear windows of neighbouring properties. I note that the Council considered the rear dormer acceptable but, even if I was to take the view that the rear dormer was acceptable as it couldn't be seen, I could not allow the rear dormer and dismiss the front dormer, as this would require the two parts of the proposal to be physically and functionally separate to each other. That would not be the case here where the proposed roof structure would be common across the property from front to rear and the stair access to the roof would appear to require the front dormer to be in place.
10. It has been put to me that the *East Riding Design Guidance for House Extensions* indicates a preference for pitched or sloping roof dormers. However, whilst this is true, the guidance still advises that the dormer must be subordinate to the roof slope. It is certainly not the intention of the guidance to encourage different sizes and styles of dormer on the same semi-detached roof slope which, as in this case, would simply result in an unbalanced and awkward appearance.
11. In respect of the proposals to relocate the side entrance to the house onto the frontage and reroof the garage with a pitched roof I have no concerns in respect of these parts of the proposal. The pitched roof would improve the appearance of the garage and there are several examples where this has been done successfully in

the surrounding area. The alteration of a front window to a glazed doorway on the frontage would also be in keeping with the character and appearance of the property. As these elements would be physically and functionally separate to the roof proposals it is open to me to split the decision and allow these elements whilst dismissing the dormer extensions.

12. Whilst these minor elements of the proposal would comply with Policy ENV1 of the *East Riding Local Plan Strategy Document* which requires development to have regard to the specific characteristics of the site context and have an appropriate scale and massing amongst other things, the dormer extensions would not. The *National Planning Policy Framework* (the Framework) states at paragraph 135 that developments should be visually attractive as a result of good architecture and sympathetic to local character and at paragraph 139 that development that is not well-designed should be refused. The appellant has referenced the *National Design Guide* at Section C1 but the proposed dormer extensions, for the reasons above, would not satisfy this guidance being poorly designed and having a significant and adverse impact on character and appearance of the dwelling, its neighbour and the surrounding area.

Other Matters

13. In coming to a view on this proposal, I accept that the appellant, in proposing the dormer extensions is seeking to make sustainable and effective use of their existing home, an objective which is encouraged by the Framework. However, the Framework attaches great importance to seeking a high quality of design and at Paragraph 128 it states that decisions should take into account "...the *desirability of maintaining an area's prevailing character and setting*". The proposal in respect of the dormer extensions and its impact on the character and appearance of the area would fail in this regard.

Conclusion

14. Accordingly, as set out above the appeal should be allowed in part and dismissed in part. I have considered the matters before me and for the reasons given above, I conclude that the appeal should be dismissed in relation to the roof dormer extensions. However, in relation to the relocated entrance and pitched roof over the garage the appeal should be allowed and planning permission be granted.
15. The Council has proposed a number of conditions typically added to a householder proposal such as this. I have considered these in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty. A condition requiring external materials used in those parts of the proposal being approved to match the existing building is necessary to protect the character and appearance of the property and its surroundings.

P. D. Biggers

INSPECTOR