



Appeal Decision

Site visit made on 23 September 2024

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 October 2024

Appeal Ref: APP/E2001/D/24/3346633

Plum Tree Cottage, 2 Plantation Drive, North Ferriby, HU14 3BE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Grantham against the decision of East Riding of Yorkshire Council.
 - The application Ref is 24/00236/PLF.
 - The development proposed is described as 'Erection of two storey side extension'.
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Decision

1. The appeal is dismissed.

Main issues

2. The main issues in this appeal are the effect of the proposed development on:-
 - the character and appearance of the dwelling and the area;
 - the living conditions of the neighbouring occupier/s at 10 Triangle Drive.

Character and appearance

3. The appeal site is a semi-detached house located within an area of similar properties that appear to have been built as local authority housing in the inter-war period. It occupies a corner plot at the junction of Plantation Drive and Triangle Drive. Like other corner plots in the area, it has a wide frontage with a small, tapered rear garden. Whilst some dwellings have been extended with two storey side extensions, the most successful are those which appear subservient to the existing dwelling. Most of the corner plots retain a generous space to the side and these contribute strongly to the attractive, spacious character of the area.
4. Permission was granted in 2023 for a two storey side extension and a single storey element which remains extant. The extension proposed now would also be sited to the side of the dwelling and would involve the demolition of an existing concrete garage on the side boundary. At some 3m wider than the existing house, it would be excessively wide. Where it joins the main ridge, the set down would be minimal and where it adjoins the external wall of the existing house the set back would also be minimal. Despite a greater step down in the ridge between the two parts of the extension and a set back in part from the rear elevation, it would not be subordinate to the existing house and its size, scale and massing would appear disproportionate and overly dominant when seen from the street.

5. The appellant has said that the ratio of dwelling to garden would be less than in many new developments and whilst that may be so, in this case the proposal would fail to create a subordinate extension and would result in the erosion of the space on the corner.
6. Although the demolition of the existing concrete garage would be a small improvement, that would be outweighed by the significant harm that would be caused to the character and appearance of both the dwelling and the area. The proposal would be contrary to development plan policy ENV1 of the East Riding Local Plan 2012-2029 Strategy Document (LPSD) that seeks to ensure that new development has an appropriate scale and massing. The National Planning Policy Framework has a similar objective.

Living conditions

7. The neighbouring property at 10 Triangle Drive also has a corner position with a tapered side boundary with the appeal site and a small rear garden. The proposed extension would be sited close to the side boundary. Given its size and proximity, it would appear unduly overbearing and would have an oppressively enclosing impact on the outlook from the neighbouring property.
8. The extension would also have a rear bedroom window some 6.5m from the boundary that would directly overlook that rear garden. Whilst that garden is already overlooked to some degree by the appeal dwelling, the existing windows are further away and the proposal would unacceptably worsen the level of overlooking. These impacts on privacy would be particularly harmful given the small size of the neighbours' rear garden.
9. I have noted that 10 Triangle Drive also has a recently approved two storey side extension in close proximity to the boundary. However, it is of a lesser scale than proposed here and as the plans show that the rear window in that extension is to an ensuite, the impact of any overlooking from that extension would be less from this proposal.
10. I have taken into account the appellant's offer to amend the proposal with an obscure glazed window in the first floor rear elevation but as the window serves a bedroom, that would not be acceptable because it would fail to provide a satisfactory outlook and level of amenity to that bedroom.
11. The Council has not objected to the effect on the other neighbouring property at 4 Plantation Drive and from what I have seen, that would be acceptable. However, in regard to 10 Triangle Drive, the proposal would cause significant harm to the living conditions of those occupiers in terms of outlook and privacy. As such, it would be contrary to policy ENV1 of the LPSD which also require that new development has regard to the amenity of existing or proposed properties and with the Framework which has a similar objective.

Conclusion

12. For the reasons given above, I conclude that the proposal would be contrary to the development plan and there are no material considerations that would outweigh that. The appeal should be dismissed.

Sarah Colebourne

Inspector