
Appeal Decision

Site visit made on 27 December 2024

by **S. Hartley BA (Hons) Dist.TP (Manc) DMS MRTPI MRICS**

an Inspector appointed by the Secretary of State

Decision date: 02 January 2025

Appeal Ref: APP/E2001/D/24/3350396

The Spinney, 5 Highcroft, Cherry Burton, East Riding of Yorkshire HU17 7SG

- 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. Joe Green against the decision of the East Riding of Yorkshire Council.
 - The application reference is 24/00953/PLF.
 - The development proposed is a first-floor extension above an existing converted garage.
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. A new National Planning Policy Framework was published in December 2024 (the Framework). This replaces the previous version of the Framework, published in December 2023. So far as the main issues are concerned, the 2024 Framework remains essentially unaltered relative to the December 2023 version. Therefore, it has not been necessary for me to seek comments from the main parties in respect of the 2024 Framework.
3. The local planning authority (LPA) has referred to the draft East Riding of Yorkshire Local Plan Update 2020-2039 (LP). However, as this has not been adopted, I can afford it only limited weight in the decision-making process.

Main Issue

4. The main issue is the effect of the development upon the character and appearance of the existing dwelling and area.

Reasons

5. The appeal property is detached and falls within an established residential area. While there is some variation to the design of the properties in the road, there is nonetheless a consistency to the pattern of linear development including spaces between the houses, especially in the immediate vicinity of the host dwelling.
6. Moreover, the main roofs of the dwellings are hipped. The frontages to each of them are open and landscaped, and side garages are single storey in height with

predominantly flat roofs are subservient in scale to their host properties. The garages permit views between the main buildings, and these add to the spaciousness of the housing layout. Collectively, these attributes add positively and distinctively to the character and appearance of the immediate area.

7. The appellant has referred to what is considered to be a similar extension further along the road. However, the layout of the dwellings is somewhat different at this point and is not directly comparable to the more open layout around the host property. In any event, I have determined the appeal proposal based upon its individual merits.
8. While the existing garage, and hence the proposed first floor extension over it, would be set back from the front elevation of the host property, it would nonetheless depart from the regularity and consistency of open gaps between dwellings in this part of Highcroft. Moreover, the mansard roof design would have a negative impact in design terms, failing to assimilate well with the appeal property and looking incongruous in the street-scene where there is an absence of such a roof design. Indeed, the mansard roof, including the provision of dormer windows, would have a massing, bulk and design that would mean that the proposal was not experienced as being subordinate or sympathetic when viewed by passers-by.
9. For the above reasons, I conclude that the proposed development would not constitute good design and material harm would be caused to the character and appearance of the area. In this regard, it would not accord with the design, character and appearance requirements of policy ENV1 of the LP, sections C1 and C2 of the National Design Guide, and chapter 12 of the Framework.

Conclusion

10. There are no material planning considerations that indicate that the application should be determined other than in accordance with the development plan. Therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR