



Appeal Decision

Site visit made on 11 March 2025

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 March 2025

Appeal Ref: APP/V2004/D/25/3358979

542 Holderness Road, Kingston Upon Hull HU9 3ES

- 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 Dylan Hayward against the decision of Kingston-Upon-Hull City Council.
 - The application Ref is 24/00955/FULL.
 - The development proposed is rendering the front of the property.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Dylan Hayward against Kingston-Upon-Hull City Council. This is the subject of a separate Decision.

Preliminary Matters

3. In the banner heading I have set out a truncated form of the description of development in the application form, omitting that which is unnecessary to accurately describe the scheme.

Main Issue

4. The main issue is whether the proposal would preserve or enhance the character or appearance of the Holderness Road East Conservation Area (CA).

Reasons

5. The host dwelling comprises a 2-storey mid-terrace traditional dwellinghouse with projecting double height bay windows to the front. The front elevation is relatively well preserved and is finished in a buff brick with decorative features including stone window and door headers and decorative panels within the bay. The dwelling is in a prominent location on a major thoroughfare opposite a public park.
6. The appeal site is located along the south-eastern boundary of the CA. This part of Holderness Road is characterised by rows of terraced 2-storey dwellings of similar age and appearance. The terrace in which the appeal site is located maintains a degree of consistency in its finish, design and decorative features, particularly at first floor. The terrace is analogous to another terrace further along the road.
7. In so far as it relates to this appeal, the significance of this part of the CA is derived from the traditional features and materials of dwellings along Holderness Road, their consistent form and arrangement, and their role in framing the park opposite.

As a constituent part of the terrace, the host dwelling positively contributes to the character and appearance of the area and the significance of the CA.

8. The proposal would render the front elevation of the dwelling. While windowsills and the archway above the door would be retained, this would otherwise mask the characteristic buff brickwork, decorative stone window headers and the stone panel within the bay. It would be out of keeping with the prevailing character and appearance of the area and would erode the positive contribution that the host dwelling makes to the significance of the CA. The Council's Principal Conservation Officer strongly objected to the proposal for similar reasons.
9. The appeal proposal would thus harm the character and appearance of the CA, the preservation or enhancement of which I apportion great weight to. It would therefore not accord with the clear expectations of statute in this respect¹.
10. There are several examples of other properties along this row that do not positively contribute to the prevailing character and appearance of the CA, including several commercial units that feature contemporary shop fronts at ground floor. The public house at the end of the terrace also features grey render at first floor, while the brickwork on the front elevation of 546 Holderness Road has been painted a light colour. Nevertheless, buff brickwork remains a consistent feature along this terrace, particularly at first floor, and elsewhere in the CA. The examples referred to otherwise detract from the significance of the CA and so they do not provide compelling justification for further harm to be permitted in this case.
11. In conclusion, the proposal would fail to preserve or enhance the character or appearance of the Holderness Road East Conservation Area. It would therefore conflict with Policies 16 and 22 of the Hull Local Plan 2016 to 2032 Adopted November 2017 (the Local Plan). These policies, among other provisions, seek to ensure that house extensions and alterations are well related to the existing building and respect the context of the surrounding area, and all development preserves and/or enhances the significance and setting of the city's heritage assets. Policy 16 only permits harm to the significance of a designated heritage asset where it has been demonstrated that the harm cannot be avoided and there would be public benefits sufficient to outweigh the harm.
12. With respect to paragraph 215 of the National Planning Policy Framework (the Framework) and Policy 16 of the Local Plan, less than substantial harm would be caused to the significance of the CA, which is a designated heritage asset. The evidence indicates that the proposal would provide several benefits for the appellant and their family, including better insulation and covering of any gaps or weak mortar joints, lower energy bills, and the prevention of damp. However, it is not clear from the evidence presented that there are no alternative means of providing these benefits and thermally upgrading the dwelling, which may avoid harm to the significance of the CA. Moreover, it has not been demonstrated that there are public benefits sufficient to outweigh the identified harm.

Other Matters

13. The appellant's frustrations regarding their communications with the Council are noted, though the full details of advice provided by the Council before and during the application are not before me. Nevertheless, I have based my decision on the

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990

evidence presented and my own observations, and this does not lead me to a different conclusion on the main issue.

14. While the occupants of neighbouring properties may have informally indicated their support for the proposal, and there is no evidence of any formal objection from neighbours to the application, this does not in itself demonstrate that the proposal would be acceptable in respect of the main issue.

Conclusion

15. The proposal would conflict with the development plan, taken as a whole. I have found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR