

Appeal Decision

Site visit made on 1 November 2016

by Roy Merrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 17 November 2016

Appeal Ref: APP/C2741/D/16/3155407

33 Woodlands Grove, York YO31 1DS

- 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 Duncan Harper against the decision of City of York Council.
 - The application Ref 16/01054/FUL, dated 28 April 2016, was refused by notice dated 7 July 2016.
 - The development proposed is the demolition of existing single storey extension to side and part of rear, and replace with a two storey extension to side and single storey extension across whole width of rear.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing single storey extension to side and part of rear, and replace with a two storey extension to side and single storey extension across whole width of rear at 33 Woodlands Grove, York YO31 1DS in accordance with application Ref 16/01054/FUL, dated 28 April 2016 and subject to the following conditions:-
 - 1) The development hereby permitted shall be carried out in accordance with the following approved plans: 20.2015.PA01 Revision A; 20.2015.PA02; 20.2015.PA03.
 - 2) The front elevation of the extension at ground floor level and the cycle and bin store shall not be commenced until details of the materials to be used in the construction of the external surfaces of these parts of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

Procedural Matters

2. From my visit it was evident that the extension had been substantially completed, with the exception of the ground floor front elevation. It appears that this development has been carried out on the basis of a previous permission for a similar proposal.
3. Accordingly my decision focuses on the Council's refusal reason which relates to proposed storage sheds within the front garden.

Main Issue

4. The main issue is the effect of the proposed cycle and bin storage sheds on the character and appearance of the street scene.
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Reasons

5. Woodlands Grove is characterised by mainly two storey dwellings in a range of architectural styles. The presence of front gardens, enclosed by brick walls and hedges of varying height is a common characteristic along the street.
6. The proposed storage sheds would be relatively small, narrow and squat structures that would be situated parallel to the side boundary with the adjoining semi-detached dwelling. Whilst bulkier, they would not appear incongruous or unacceptably prominent when viewed in the context of the various boundary enclosing structures including walls and fences prevalent in the wider street scene. They would also be of similar height to many of these structures.
7. Furthermore, the sheds would be substantially screened by hedge planting that is present around part of the perimeter of the garden and would also be finished in a recessive green colour. The units would occupy a relatively small proportion of the garden area and by allowing for contained storage would help to protect the uncluttered appearance of the front of the property.
8. I therefore conclude that the proposed cycle and bin storage sheds would not be harmful to the character and appearance of the street scene. Accordingly the proposal would not undermine the local distinctiveness of the area and would be in keeping with the National Planning Policy Framework which seeks to promote good design.
9. The proposal would not be in conflict with Policies GP1 and H7 of the City of York Draft Local Plan 2005 insofar as they seek to promote good design, sympathetic to the main dwelling and compatible with the character of the area. These considerations add to the weight in favour of the appeal.
10. The proposal would not strictly accord with the Council's Draft Supplementary Planning Document – House Extensions and Alterations 2012 which seeks to promote cycle storage within the dwelling where there is no access to the rear of the property. However the specific circumstances of this case are considered to justify an exception being made to these guidelines.
11. I have considered the argument that the grant of planning permission would set a precedent for other similar developments. However each application and appeal must be determined on its own individual merits and a generalised concern of this nature would not in itself justify withholding planning permission in this case.

Conditions and Conclusion

12. For the above reasons I conclude that the appeal should succeed and planning permission be granted.
13. Conditions specifying the plans and requiring details to be agreed of the materials to be used in the external surfaces of the ground floor front elevation of the extension and the cycle and bin sheds are needed to safeguard the character and appearance of the area.

Roy Merrett

INSPECTOR