

Appeal Decision

Site visit made on 17 March 2017

by M Seaton BSc (Hons) Dip TP MRTPI

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

Decision date: 24 March 2017

Appeal Ref: APP/C2741/D/16/3164237

43 West Thorpe, York, North Yorkshire, YO24 2PP

- 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 John McGarry against the decision of City of York Council.
 - The application Ref 16/01666/FUL, dated 29 May 2016, was refused by notice dated 6 September 2016.
 - The development proposed is a single-storey side extension, and new flat roof with parapet wall and roof lantern to replace the existing pitched roof to the rear ground floor extension.
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Procedural Matter

1. There is a certain degree of variation between the appellant and the Council in the description of the proposed development. I note that the Council has adopted a more concise description of the proposals, which has also been reflected in the appellant's Grounds of Appeal. However, the essence of the description of development is the same and I therefore see no reason to depart from that which was originally proposed on the application forms.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the appeal property and the streetscene.

Reasons

4. The appeal property is a semi-detached dwelling set at the junction between West Thorpe and Chaloner's Road within a largely residential area. Surrounding properties are predominantly characterised by two-storey dwellings of a similar scale and design. The appeal property has been previously extended with a substantial two-storey side and rear extension, evident at the site visit.
 5. In refusing the planning application, the Council has highlighted that there are no concerns regarding the proposed roof alterations to the existing single storey extension, including the roof lantern, and also that no concerns are raised with regards the impact of the proposal on the living conditions of neighbouring occupiers. The Council's sole concerns therefore relate to the impact of the single storey side extension on the character of the dwelling when considered cumulatively with the existing extensions, and on the
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character and appearance of the area as a consequence of the erosion of the existing open space to the side of the property.

6. I have carefully considered the appellant's submissions regarding the limited prominence of the site. However, whilst I noted the existing front garden planting particularly on neighbouring land to the north, I disagree with this contention due to the level of visibility of this site at the junction and from the south. I find that the scale of the existing extensions has exacerbated the visual prominence of the dwelling within the street scene.
7. In respect of the proposed single storey extension, I accept that in the context of the existing dwelling, the incorporation of a hipped roof form and use of matching materials would help to assimilate the extension with the dwelling. However, whilst I accept that the proposal is smaller than that previously applied for in 2016, the extension would still be of a significant scale in terms of its length and height, with the roof extending to just below first floor window level. As a consequence, the extension would not appear as a subservient further addition to the already significantly extended dwelling, and would only succeed in a further unbalancing of the pair of semi-detached properties.
8. I have also carefully considered the impact of the proposed extension on the character and appearance of the area. The existing form of development within the area has dwellings and built form generally set back from the road frontage by a relatively consistent distance, which contributes towards the spaciousness and openness within the vicinity of the appeal site. From my observations, it would appear that the two-storey extensions to the dwelling already intrude to a limited degree on the established building line along Chaloner's Road, and I consider that the proposed single storey extension would further erode that character at this prominent point in the street scene to a harmful degree. Whilst the appellant has drawn my attention to other structures and extensions which it would appear have intruded across established building lines in the immediate area, I do not consider that these set a precedent which would be considered to be desirable to replicate given the existing character of the area.
9. I am satisfied that the scale and bulk of the proposed single-storey side extension would result in an adverse impact on the character and appearance of the host dwelling, and the area. The proposal therefore conflicts with Saved Policies GP1 and H7 of the City of York Draft Development Control Local Plan (2005), and design guidance set out in paragraphs 7.2, 7.4, 7.5, 12.6 & 12.7 of the City of York Supplementary Planning Document Draft, "Housing Extensions and Alterations" 2012. Whilst these policies are not part of the Development Plan, they are material considerations, and set out the need for extensions and alterations to existing dwellings to be of a subservient design compatible with the main dwelling and the character of the area, and respect the spaces between dwellings and established building lines. Furthermore, the proposal would not accord with paragraph 17 of the National Planning Policy Framework (the Framework) as it would not represent high quality design.

Conclusion

10. For the reasons given above, the appeal is dismissed.

M Seaton

INSPECTOR