
Appeal Decision

Site visit made on 2 May 2017

by Mrs Zoë Hill BA(Hons) Dip Bldg Cons(RICS) MRTPI IHBC

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

Decision date: 12 May 2017

Appeal Ref: APP/C2741/D/17/3172865

211 Hamilton Drive West, York, North Yorkshire YO24 4PL

- 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 Mrs Caroline Jones against the decision of City of York Council.
 - The application Ref: 16/02651/FUL, dated 11 November 2016, was refused by notice dated 11 January 2017.
 - The development proposed is a single storey extension to side to provide additional annexe living accommodation.
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Preliminary Matter

1. During the processing of the application revised plans were submitted omitting the forward projection of the proposed extension. The Council determined the scheme on the basis of those revised plans and so shall I.

Decision

2. The appeal is dismissed.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the streetscene.

Reasons

4. The appeal property is a dwelling located on a triangular plot close to a road junction with a cul-de-sac. The dwellings backing onto the appeal site from that cul-de-sac are bungalows set at a slightly higher land level than the appeal site. The streetscene is varied with a mix of one and two storey properties and detached, semi-detached and terraced dwellings. The road layout and positioning of the dwellings also provides for variety, albeit dwellings are generally set back with gardens, providing a reasonably verdant character to this urban area. Given the established character of the development in this area it is not surprising that a number of properties have been extended in a variety of ways. Some of these predate the Council's 'House Extensions and Alterations Draft Supplementary Planning Document' (SPD) which was approved by its Cabinet on 4 December 2012.
 5. The host dwelling is one of a pair of semi-detached houses that are largely unaltered. However, at the host site there is a large garage, of prefabricated construction, which occupies the area immediately to the side of the house.
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This would be removed in the appeal scheme and parking spaces would be provided instead. Parking, provision of amenity space for occupiers of the host property, and impact upon living conditions of neighbouring properties would be acceptable. Thus, it is the design of the proposed development and its effect on the host property, pair of semi-detached houses and streetscene which is the key issue.

6. This pair of semi-detached houses is largely symmetrical. They are clearly seen from the public highway despite the front boundary wall and hedge. The proposed extension, unlike the existing flat roof garage, would have a pitched roof but its ridge would sit below eaves level of the house. The hipped form would reduce the mass of the roof structure. Nonetheless, the width of the extension would be a similar width to the host property, and project further sideward than the position of the existing detached garage. The massing would result in a longer ridgeline than for the host property. This, combined with being built flush to the front of the existing dwelling and the wall to window ratio (in which the wall would be the dominant feature quite unlike the main house elevation with its two storey bay and other fenestration), would result in an uncharacteristic and discordant addition to the house. That discord would be visually harmful to the host property, the pair of houses and the streetscene.
7. That sense of discord would not be apparent in the context of the side or rear elevations, in part because of the way in which the massing to the rear is broken down altering the roof form, but I note both are largely screened from public views.
8. I appreciate that the appellant wishes to accommodate her mother on the site in a semi-independent living space suited to her needs. I also accept this might well reduce the burden on public services and is likely to be of positive benefit to the well-being of the whole family. As such, in principle it represents a sustainable concept. However, it seems to me that there is scope for an extension on the site which would provide that function but would not result in the harm to the character and appearance of the streetscene. This is particularly the case given the variety of house type and design in the locality.
9. The two extensions drawn to my attention for comparison with the appeal proposal, those at 2 Queenwood Grove and 218 Hamilton Drive West differ, amongst other things, from the appeal scheme in terms of both set-back and wall/fenestration relationships. As such, even setting aside the date of those developments in respect of policy application, they do not set a precedent for the appeal scheme.
10. The appeal scheme, because of the design issues referred to above fails to accord with the Council's SPD, in particular points 7.4 b, c, e and paragraph 12.4, which, taken together, seek that design is in keeping and subservient, and which notes the importance of fenestration and architectural detailing. I appreciate this is for guidance and provides for flexibility where imaginative design solutions are proposed provided they relate well to the building. I also find conflict with Policy H7 of the City of York Draft Local Plan Incorporating the 4th set of changes which was approved in April 2005. Policy H7 supports residential extensions provided that the design and scale are sympathetic to the main dwelling. Whilst this is an emerging document adopted for development management purposes and so does not have statutory weight, I

attach some weight to it because of general accord with the National Planning Policy Framework (the Framework). The Framework explains that planning should always seek to secure high quality design and further notes that good design is a key aspect of sustainable development and is indivisible from good planning.

11. For the reasons set out above and having regard to all other matters raised, I conclude that the appeal should fail.

Zoë Hill

Inspector