



Appeal Decision

Site visit made on 17 July 2017

by Gwyn Clark BSc DipTP MRTPI

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

Decision date: 10th August 2017

Appeal Ref: APP/C2741/D/17/3173785
14 Pulleyn Drive, York YO24 1DX

- 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 Keith Lancaster against the decision of City of York Council.
 - The application Ref 16/02578/FUL, dated 7 November 2016, was refused by notice dated 25 January 2017.
 - The development proposed is two-storey extension to the northern elevation of the property.
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Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the development on the living conditions of the occupier of No 16 Pulleyn Drive.

Reasons

3. The detached and semi-detached houses along Pulleyn Drive and the roads leading from it are all substantial and attractively designed. A particular characteristic is their full height bay windows and substantial hipped roofs. The houses are laid out in a rather compact manner, with shallow gardens that give the area a tightly woven character and appearance. Garden landscaping and pavement planted trees do nevertheless create a pleasantly landscaped setting.
4. No 14 is a double fronted detached house situated on the corner of Pulleyn Drive and White House Rise. Access to its detached garage is taken from White House Rise and the two storey extension proposed would extend using the full height of the house to fill the gap between it and the garage. This means that the extension would run parallel with the boundary to the neighbouring garden, set back from this boundary by maintaining the gap that exists between the two houses.
5. The neighbouring property, No 16, sits at a slightly lower level. At the rear the two houses also have a staggered relationship, No 16 being originally set around 2.1m behind No 14. This house has been extended extensively in the past including a two storey side extension which has brought the house to the boundary. A more recent single story extension has also been constructed. This stands close to the boundary and projects for around 1.2m beyond the rear of

- No 14. The proposed extension would therefore sit partially alongside this recent extension, and partly alongside the rear garden.
6. The City of York Draft Development Control Local Plan 2005 is an un-adopted local plan and I can give only limited weight to policy H7. Nonetheless, the purpose of this policy is to ensure no adverse effect on the amenity of neighbours, which is consistent with the objective of the National Planning Policy Framework to secure high quality design and a good standard of amenity. I have also had regard to the advice contained within the Council's more recent House Extensions and Alterations Supplementary Planning Document (SPD).
 7. I do not consider that No 16 would experience a significant loss of light or suffer unacceptable overshadowing as a result of the proposed extension. The rear of these two houses face northwards and their exposure to sunlight is therefore limited. No 14 is a substantial house in very close proximity and it would already limit much daylight and sunlight to the rear of its neighbour. It has been demonstrated that the '45 degree rule' contained within the SPD would be met.
 8. However the degree of enclosure that already exists to the rear of No 16 would be increased significantly by the presence of the extension running in parallel with the boundary. The extension would accentuate the staggered relationship of the two houses. It would be to the full two storey height and its bulk and scale would have an imposing, oppressive, and dominating effect that would significantly harm the living conditions of the occupiers of this dwelling. For this reason I consider that it would not be consistent with the advice found within the NPPF or the general aim of the SPD to safeguard neighbour amenity.
 9. I have taken into account that the extension has been sympathetically designed and would add to the attractive appearance of the house and especially when viewed from White House Rise. However this does not outweigh the harm that I have identified.
 10. For the above reasons and having considered all matters raised I conclude that the appeal should be dismissed.

Gwyn Clark

INSPECTOR