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## Appeal Decision

Site visit made on 16 July 2017

**by Gwyn Clark BSc DipTP MRTPI**

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

**Decision date: 06 September 2017**

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**Appeal Ref: APP/C2741/D/17/3173885**

**35 Keith Avenue, Huntington, York YO32 9QH**

- 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 & Mrs M Boynton against the decision of City of York Council.
  - The application Ref 16/02729/FUL, dated 29 November 2016, was refused by notice dated 10 February 2017.
  - The development proposed is loft conversion including front dormer window.
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### Decision

1. I allow the appeal and grant planning permission for loft conversion including front dormer window at 35 Keith Avenue, Huntington, York YO32 9QH, in accordance with the terms of the application, Ref 16/02729/FUL, dated 29 November 2016, subject to the following conditions:
  - 1) The development hereby permitted shall begin no later than 3 years from the date of this decision.
  - 2) The external materials to be used in the construction of the extension hereby permitted shall match those used on the existing dwelling.
  - 3) The development hereby permitted shall be carried out in accordance with the drawing No's 1611F2A and 1611F3.

### Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

### Reasons

3. Keith Avenue is a straight road ending in a turning area at the head of the cul-de-sac. The detached and semi-detached bungalows along the road are of similar appearance. No 35 is situated towards the end of the road and is one of a pair of identical bungalows, standing as a mirror image of one another, with a main hipped roof and hipped forward element. No 35 has been extended to the rear but this extension is not readily discernible when viewed from the road.
4. While this design is typical of many of the bungalows along the road, and similar pairings exist elsewhere, variation is introduced by some bungalows having a slightly different footprint. Also more rectangular shaped detached bungalows, some with a hipped and some gabled roofs, are interspersed between them.

5. Policies GP1 and H7 of the City of York Draft Development Control Local Plan 2005 seek to encourage development of a high standard of design in keeping with the local character. As this is a draft un-adopted local plan I have given only limited weight to these policies. However they are consistent with the design advice found within paragraphs 17 and 56 of the National Planning Policy Framework ('the Framework').
6. I have also had regard to the advice contained within the Councils more recent (December 2012) and draft "House Extensions and Alterations Supplementary Planning Document" ('SPD'). In particular the SPD contains advice on dormer windows and roof extensions. It recognises that the roof is an important and prominent element of the design of a building that can have a significant impact upon its appearance.
7. I consider that the extension of the roof in this case from hipped to gabled would not negatively affect the appearance of the dwelling. The fact that it would no longer be in balance with its neighbour would not be a robust reason to withhold planning permission. The gabled roof would match that of a number of bungalows found nearby and a gabled roof in juxtaposition with a hipped roof would not be an unusual feature in the street.
8. There are few dormer windows evident on Keith Avenue and front dormers are very rare. However the dwelling across the road from No 35 provides an example of a rectangular styled bungalow with a large flat-roofed dormer. This suits this particular style of bungalow. A much smaller dormer window is proposed for the roof of No 35. It would be centrally positioned, appropriately scaled and with a simple pitched roof.
9. Overall the extended bungalow would retain its simple unassuming appearance and would represent another variation upon the original style. The extensions would be sympathetic to the character of the bungalow and be in keeping with the wider area. The development would therefore be consistent with advice found in the SPD, the policies of the Local Plan and the Framework.
10. Accordingly, I conclude that the appeal should be allowed.
11. In addition to a condition to address the standard time limit for implementation of the permission, in the interests of the appearance of the area and to provide certainty, conditions shall be imposed to address materials and the approved drawings.
12. The Council Officers report on the application indicated that a condition for obscure glazing would be needed to avoid overlooking from the two proposed side windows in the gable of the extension. However, it is not apparent that overlooking from these windows would present a significant risk of harm to the privacy of neighbours. The condition would not be necessary and shall not be imposed.

*Gwyn Clark*

**INSPECTOR**