



Appeal Decision

Site visit made on 9 September 2019 by G Sibley MPLAN MRTPI

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 October 2019

Appeal Ref: APP/C2741/D/19/3234933

Church View, 57 Main Street, Askham Bryan, York YO23 3QU

- 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 Deborah Watson against the decision of City of York Council.
 - The application Ref: 19/00146/FUL, dated 26 January 2019, was refused by notice dated 28 May 2019.
 - The development proposed is two storey side extension (Re-submission).
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matters

3. The Examination in Public for The City of York Local Plan – Publications Draft (LP) has started and following comments from the Examination Inspector, the Council has produced additional documentation and consultation on the modifications to the Local Plan were held in June 2019, which has now finished. Therefore, the LP is at an advanced stage and significant weight should be attached to the policies in the LP.
4. The site is located in Askham Bryan which is washed over by the Green Belt. The Council have determined that the proposed development would be infill development in a village and as a result would not be inappropriate development in the Green Belt. The reason for refusal relates to the effect of the proposal upon the character and appearance of the Askham Bryan Conservation Area (CA). I have no reason to disagree and will proceed on this basis.

Main Issue

5. The effect of the proposed development on the character and appearance of the host dwelling and whether the proposal would preserve or enhance the character or appearance of the Askham Bryan CA.

Reasons for the Recommendation

6. The existing building is a semi-detached two storey property that has white render on the front of the property. The rest of the property is exposed brick, which matches the materials used for the neighbouring properties. The dwelling has a large front and rear

garden with a driveway to the side of the property. The site is located within the CA which covers the entirety of the settlement.

7. Askham Bryan is a rural village with linear development along Main Street. The properties on Main Street are typically set-back amongst trees with front boundary walls, hedges and fences, and grassed verges which maintains a sense of continuity. The dwellings along Main Street are generously spaced and are typically set within large plots. The Grade I Listed Church of St Nicholas is located opposite the site and a graveyard surrounds the Church which contributes to the open character along this part of the street. The village pond and fields associated with it contribute to the open, rural character of the village and are located close to the site. The group of buildings located around the site do not necessarily have the grandiosity of other dwellings in the village, but the same overall characteristics are retained. The dwellings are set back behind boundary walls, hedges, fences and grassed verges. Notwithstanding the group of terrace properties, the dwellings have not been built up to the boundary of their plots which contributes the open rural character of the street scene and the CA.
8. The Church of St Nicholas is located on slightly higher ground. There are a group of terrace properties between the site and the Church and as a result there are no direct views of the site from the Church. The site is visible from the graveyard that surrounds the site, but the glimpsed views of the proposed development would not result in harm to the listed building or its setting or any features of architectural or historic interest that is possess, which would, as a result, be preserved.
9. The appellants have proposed to remove the render that covers the front elevation of existing dwelling. The extension would be constructed from similar materials to the host dwelling and the neighbouring properties. Additionally, a dormer window is proposed on the rear of the dwelling, which would not harm the external appearance of the host building. The dwelling is semi-detached, and the connected dwelling has already been extended. By extending no. 57 the proposed development would add symmetry to the two dwellings.
10. However, the Council argues that all two storey extensions should not exceed around 50% of the width of the original house, which is consistent with its Draft Housing Extensions and Alterations Supplementary Planning Document (SPD). In this case, the dwelling has a width of 4.35 metres and the extension would extend this by 3.1 m. The proposed development would extend the dwelling by more than 50% of the width of the host dwelling. Whilst the design of the extension has been altered, which would include setting the extension back from the front elevation and keeping the ridge height below the host property, the development would not appear subservient to the host dwelling. This is because of the width of the extension. As a result, the development would extend the host dwelling by more than half its width and would develop almost the full width of the plot.
11. There are garages to dwellings within the street scene, but these are typically single storey. The inclusion of a first-floor above the garage would be uncommon and would appear out-of-keeping with the quality of the street scene. Furthermore, the inclusion of a car port on the ground floor of the extension would be uncharacteristic of the street scene. In addition, the proposal would include three openings on the side of the property which would overlook no. 59 Main Street. The openings would be on the ground floor within the car port, but their siting would represent an odd design choice that introduces an uncharacteristic feature to the host property that detracts from its external appearance.

12. The retention of an undeveloped gap between properties is a common feature in the village that helps to maintain the CA's open and rural character. Whilst the car port would permit views through the site, the first-floor extension would be the full width of the driveway and it would fail to retain the gap between the two properties. This has the potential for a terracing effect. The proposal would fail to preserve this important characteristic in the CA.
13. The proposed development would cause harm to the CA given the overall design and scale of the extension. It should be noted that this harm would be lessened due to the fact the view between the site and the neighbouring property is not defined as a key view in the Askham Bryan Village Design Statement. As such, this would equate to less than substantial harm having regard to National Planning Policy Framework. Nonetheless this harm must still be given considerable importance and weight. From the information provided, limited public benefits to the scheme have been advanced. The proposal includes the removal of the render on the front of the host dwelling which is an uncommon feature in the CA and, as a result, this would enhance the external appearance of the host building. The proposed extension would bring balance to the host dwelling and its neighbour which has also been extended to the side. However, these benefits are not sufficient to outweigh the harm identified, particularly when considering the weight to be given to the conservation of the asset.
14. As a result, I find that due to the size, scale and design of the extension, the proposed development would not appear subordinate to the host dwelling and would fail to preserve or enhance the character or appearance of the CA. Accordingly, it would fail to comply with Policy GP1, H7 and HE3 of the DCLP and the emerging Policies D1, D4 and D11 of the LP. The proposal would also be contrary to the Askham Bryan Village Design Statement and the SPD.

Conclusion and Recommendation

15. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

16. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR