



Appeal Decision

Site visit made on 24 September 2019

by F Cullen BA(Hons) MSc DipTP MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 October 2019

Appeal Ref: APP/C2741/D/19/3233128

100 The Village, Strensall, York YO32 5XB

- 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 John Pilgrim against the decision of City of York Council.
 - The application Ref 18/01229/FUL, dated 24 May 2018, was refused by notice dated 2 May 2019.
 - The development proposed is described as 'construction of room in roof and two storey extension to side of existing semi-detached dwelling.'
-

Decision

1. The appeal is dismissed.

Procedural Matters

2. Although not included in the list of plans submitted as part of the appeal, the Council has confirmed that the revised plan used to determine the application was ref 03.2018.PA06 received on 1 March 2019. I have therefore used this plan in my determination of the appeal.
3. In its reasons for refusal the Council cite policies contained in the City of York Local Plan – Publication Draft (the Emerging LP) (2018) and policies in the City of York Draft Local Plan (the Draft LP) (2005), which has been approved by the Council for development control purposes. As neither of these plans have been formally adopted, I have given them weight only in so far as they are consistent with the National Planning Policy Framework (the Framework).

Main Issues

4. The main issues are:
 - The effect of the proposed side extension on the character and appearance of the host property, the streetscene and the surrounding area; and
 - The effect of the proposed dormer to the rear on the character and appearance of the host property and the surrounding area.

Reasons

Side extension

5. The appeal property forms the right hand half of a pair of two storey, semi-detached houses. It is constructed of red brick with a tiled hipped roof. It

is set back from the road with modest gardens to the front and rear and has a single storey detached garage to the side. The left hand half of the semi-detached houses, No 102 The Village, has a two storey extension to the side. There is an area of green open space to the west and south which provides substantial separation between the appeal property and No 92 The Village to the west.

6. The appeal property and site context is not typical of the development in the surrounding area. The streetscene to the east is characterised by uniform short terraces and semi-detached gable end properties, that possess a strong building line and regular spacing and are constructed of brick with slate roofs. Whereas, the streetscene immediately to the west is characterised by more recent semi-detached and detached properties, that possess a varied building line and irregular spacing and are constructed of brick with tiled roofs. The appeal property reflects the characteristics of the more varied streetscene and more spacious and open feel of the development to the west.
7. Guidance in relation to side extensions within the Council's Draft House Extensions and Alterations Supplementary Planning Document (the House Extensions SPD) (2012) states that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the streetscene generally and should normally appear subservient to, yet in keeping with the original building. It goes on to state that unduly wide extensions should normally be avoided, typically a two storey extension should not exceed around 50% of the width of the original house unless its width has been designed to successfully harmonise with architectural features contained in the original property.
8. The proposed side extension, as illustrated on the revised plan, would be 4m wide which, given that the width of the existing house is approximately 6.2m, would breach the 50% guideline by approximately 0.9m. This would also be slightly wider than the existing extension to No 102 The Village. On this basis the Council asserts that it would be an overly wide addition that would dominate the main house and unbalance the symmetry of the semi-detached pair of houses.
9. I acknowledge the Council's concerns. However, the guidance does allow for flexibility in its application, and I consider that the dropped ridge, setback and matching materials, which would reflect the form and design of the extension to No 102 The Village, and the staggered form of the west elevation, which would replicate the existing property, would cause the proposed side extension to appear subservient and proportionate to the host property and would not wholly unbalance the symmetry of the two houses. In addition, given the property's unique site context of a wide frontage and open space to the west, I consider that the additional width of the proposed extension would not be unduly prominent or readily perceived on the wider streetscene.
10. Accordingly, I conclude that the proposed side extension would not harm the character and appearance of the host property, the streetscene and the surrounding area. As such it would not conflict with Policy D11 of the Emerging LP which, amongst other things, seeks to ensure that the design of extensions and alterations to existing buildings responds positively to its immediate architectural context and local character and history and positively contributes to the setting, wider townscape, landscape and views. It would also not conflict

with Policy H7 of the Draft LP which seeks to ensure that the design, materials and scale of residential extensions are appropriate to the main dwelling and the locality. In addition, although it would technically breach part of the guidance contained within the House Extensions SPD, it would accord with its general aims.

Dormer to the rear

11. Guidance in relation to dormers within the House Extensions SPD declares that, if poorly located or designed, dormers can make a building appear top-heavy, cluttered and harm its balance or symmetry. Furthermore, it states that dormers should be designed so that they do not dominate the roof, and their style, materials and shape should relate to the appearance of the house.
12. I note that the proposed dormer, as illustrated on the revised plan, is smaller than the original submission, and acknowledge that its location to the rear of the property, its position on the roof and use of matching materials would mitigate its impact on the character and appearance of the streetscene to a certain degree. However, I consider that its substantial size and box design would cause it to appear an overly dominant and incongruous addition to the roofscape of the host property. The appellants make the case that the hipped roof of the proposed extension would be the prominent element of the building's design and the proposed dormer would have limited impact if at all on the streetscene. However, given the very open aspect of the west elevation and the separation and set back nature of the adjacent properties to the west, I consider that it would be unduly conspicuous and detract from the host building and the surrounding area when viewed from public routes when travelling east along The Village.
13. Therefore, I conclude that the proposed dormer to the rear would harm the character and appearance of the host property and the surrounding area. As such it would conflict with Policy D11 of the Emerging LP which, amongst other things, seeks to ensure that the design of extensions and alterations to existing buildings responds positively to its immediate architectural context and local character and history and positively contributes to the setting, wider townscape, landscape and views. It would also be contrary to Policy H7 of the Draft LP which seeks to ensure that the design, materials and scale of residential extensions are appropriate to the main dwelling and the locality. In addition, it would not align with guidance in the House Extensions SPD.

Other Matters

14. I note that the appellants have confirmed that substantial dormer windows to the side and rear of the property could be installed under permitted development. I acknowledge that these dormers, as shown on plans ref 03.2018.E01, 03.2018.E02 and 03.2018.E03 would be unduly prominent on the host property, the streetscene and the surrounding area. However, although the appellants stress that one reason they decided not to progress with the dormers was because of the impact they would have, they also state that the dormers would not address the bigger issue of providing increased kitchen and bedroom space for their growing family, nor would it address the provision of an adequately sized garage. On this basis, I cannot consider it to be a realistic or probable prospect that the dormers would be constructed should this appeal be dismissed. This limits the weight that I can attach to it as a fallback position.

15. The appellants have drawn my attention to other two storey side extensions to properties within the same Local Planning Authority area and the same policy context. I have concluded that the proposed side extension would not harm the character and appearance of the host property, the streetscene and the surrounding area, and so these examples are neutral considerations in the balance. Moreover, I am not aware of the detailed circumstances of these developments and in any event, I have determined the appeal before me on its own merits.
16. I note that the Council considers that the proposed development would have no impact on the living conditions of any adjacent neighbours and that there were no objections from Strensall and Towthorpe Parish Council or from any neighbours. However, these are neutral considerations in the balance and do not outweigh the harm that I have identified.

Planning Balance

17. Although I have found no harm in relation to the proposed side extension, this counts neither for nor against the proposed development. However, I have found harm in relation to the proposed dormer to the rear which is in conflict with policies in the Emerging LP and the Draft LP and other local guidance. Although not part of an adopted development plan I consider that these policies and guidance are consistent with Paragraph 127 of the Framework, and so, give meaningful weight to the conflict I have found with them.
18. I recognise that the proposed development as a whole would provide some social benefit of additional living accommodation in this family home. However, the adverse impacts of the proposal would significantly and demonstrably outweigh this benefit when assessed against the Framework as a whole. Consequently, the balance of considerations is against the appeal proposal.

Conclusion

19. The proposed dormer to the rear encroaches into the roofspace of the proposed side extension. In this respect, both elements of the proposed development are physically and functionally integral and cannot be separated. Therefore, even if I were minded to allow the proposed side extension, I could not do this without allowing the dormer to the rear and, as such, a split decision cannot be issued.
20. For the reasons given above, I conclude that the appeal should be dismissed.

F Cullen

INSPECTOR