The Planning Inspectorate

Appeal Decision

Site visit made on 24 September 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29th November 2019

Appeal Ref: APP/N2739/D/19/3233143
Northingales, 28 Ryther Road, Cawood, Selby YO8 3TR

- 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 Jones against the decision of Selby District Council.
- The application Ref 2019/0142/HPA, dated 14 February 2019, was refused by notice dated 19 June 2019.
- The development proposed is a link between house and garage, internal alterations and first floor above garage.

Decision

1. The appeal is allowed, and planning permission is granted for a link between house and garage, internal alterations and first floor above garage at Northingales, Ryther Road, Cawood, Selby YO8 3TR in accordance with the terms of planning application 2019/0142/HPA dated 14 February 2019 subject to the following conditions:

   1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

   2) The development hereby permitted shall be carried out in accordance with the following approved plans: drawing no.18-067 -01 Rev D - Proposed

   3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Procedural Matters

2. The Council's reason for refusal incorrectly describes the development as a rear extension. It is clear from the description on the decision notice and the Council's reasoning in the planning officer's report that the Council have considered the development as described in the banner heading. I have dealt with the scheme on this basis.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the dwelling and the area.

Reasons

4. The appeal site is within the countryside for the purposes of the Council's Development plan. Policy SP2 of the Selby District Core Strategy Local Plan

October 2013 (CS) sets out the spatial strategy for the district and allows for extensions of dwellings in the countryside. Saved Policy H14 of the Selby District Local Plan 2005 (LP) provides more detailed policy on extensions requiring, amongst other things, that they should not result in disproportionate additions over and above the original dwelling or dominate it visually.

5. The Council says that the proposal would be disproportionate because it would increase the original floorspace by 76% and that recent appeal decisions have set the limit at no more than 50%.

6. I do not find the mathematical calculations helpful to the determination of disproportionality in this case. In any event it is not for me to select a percentage increase which should be used across the board as a 'tipping point'; the development plan does not define one and I must therefore determine the proposal on its merits.

7. I find it much more informative to establish the effects of the development by considering the issue of disproportionality in terms of the physical form of the development.

8. The appeal property is a detached house with detached garage. The proposed development would link the existing garage to the house via a two-storey extension and includes the remodelling of the garage and the other fenestrations of the dwelling to suit the internal layout proposed by the appellant. The Council have provided details of the original building. The dwelling was a more modest property than currently exists with hipped roof and detached single garage. The roof space provided a first-floor study area but the design in its form and mass was single storey in appearance.

9. The approval of extensions, front dormer windows and a detached double garage in 2006 resulted in the appeal property's current form. It increased the original dwelling; enlarging the accommodation of the upper floor by slightly raising the height of the roof, introducing dormer windows and replacing the hipped roof with gable walls. The single garage was replaced with a double garage with eaves and ridge height above that of the main dwelling. These additions to the original building increased the visual impact of the building in its setting.

10. The proposed extension would link the garage and house. Although the front wall of the link would be recessed within the existing elevation, the roof and eaves line would be consistent with the main dwelling creating a single mass. However, the change in orientation of the garage roof, its lower eaves and ridge line and hipped roof would reduce the visibility of the building on the approach to Cawood along the Ryther Road. The introduction of the front gable would break up the length of the eaves line and reflect the existing front gable detail. As a whole, the alterations to the building would present a more harmonious mass and, as a consequence, the dwelling would sit more comfortably in the plot. Overall, I find that the visual effect of the design would be to unify the built form and reduce its prominence.

11. Therefore, I conclude that the development would not harm the character and appearance of the dwelling or the area and would accord with saved Policies ENV1 and H14 of the Selby District Council Local Plan 2005.

Conditions

12. In addition to the standard timescale condition, I have imposed a condition specifying the relevant drawings as this provides certainty. I have also imposed a condition relating to materials in the interests of safeguarding the character and appearance of the area.

Conclusion

13. For the reasons given above, the appeal should be allowed.

Diane Cragg

INSPECTOR