
Appeal Decision

Site visit made on 20 January 2020

by Louise Nurser BA (Hons) Dip UP MRTPI

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

Decision date: 03 February 2020

Appeal Ref: APP/C2741/D/19/3237213
50 Huntingdon Road, York YO31 8RE

- 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 Ms Caera Mahoney against the decision of City of York Council.
 - The application Ref 18/01926/FUL, dated 18 August 2018, was refused by notice dated 26 March 2019.
 - The development proposed is dormer roof extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is whether or not the proposed development would preserve or enhance the character or appearance of the Heworth/Heworth Green/East Parade/Huntingdon Road Conservation Area.

Reasons

3. From what I observed, an important aspect of both the character and appearance of the wider Conservation Area derives from the terraces of brick properties with simple slate roofs. A particular feature of the area is small, elegant, pitched dormer windows within the front roof plane of the properties, with for the most part uninterrupted slate roofs at the rear.
4. The proposed development is a large, flat roofed dormer that would project from the ridge line and extend the whole width of the roof of the host property. This large, box like structure, with large areas of fenestration, would appear ungainly, and out of character with the wider area, and therefore inconsistent with the advice within the City of York Council Supplementary Planning Document, 'House Extensions and Alterations' 2012.
5. I am aware that there are examples of similar dormers within the Conservation Area, and indeed that the neighbouring property has a dormer of similar bulk. However, I understand that this does not benefit from planning permission. Notwithstanding the differences in the design between the two dormers, the adjacent dormer demonstrates the adverse impact that such unsympathetic alterations at such a large scale, with no reference to the surrounding architectural details, can have to the integrity of an individual building, the townscape and the Conservation Area.

6. I have also taken into account the nearby Barratt's infill housing scheme. However, this development, which has referenced the small dormers which are characteristic of the area within its design, does not impact on my conclusion that the proposed development would have an adverse impact on the, for most part, unaltered roofscape, and terrace of housing.
7. In accordance with the Planning (Listed Buildings and Conservation Areas) Act 1990 I have a statutory duty under Section 72(1) to pay special attention to the desirability of preserving or enhancing the character or appearance of the Conservation Area. For the reasons set out above, I conclude that the harm caused by the proposal would result in less than substantial harm to the character and appearance of the Conservation Area. In determining this appeal, I have been mindful of Paragraph 196 of the Framework, that where a proposed development will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including its optimum viable use
8. I understand that the appellant wishes to extend her home. There are clearly private benefits to the proposed development. However, there is nothing before me to suggest that it would provide a public benefit which would be sufficient to outweigh the harm to the Conservation Area which I have identified above.
9. For the above reasons I conclude that the proposal would be in conflict with the Framework and also with Policies D1, D4 and D11 of the City of York Publication Draft Local Plan 2018, Policies HE3 and H7 of the City of York Draft Local Plan 2005, and guidance set out in the Council's supplementary planning document for house extensions, which seek to achieve high quality design and conserve or enhance the appearance, character and setting of heritage assets. As these policies have not been formally adopted, I have treated them as material considerations of limited weight in reaching my decision.

Other matters

10. I have noted the appellant's personal circumstances, and I am aware of the concerns raised relating to the Council's determination of the application. However, these matters have not impacted on my assessment of the planning issues in this appeal.

Conclusion

11. The Framework is clear that the specific policies relating to designated heritage assets must be satisfied. As set out above I have concluded that the proposal does not preserve or enhance the character or appearance of the Conservation Area as a whole. Therefore, the proposed development would not be sustainable development.
12. Consequently, I conclude that the appeal should be dismissed.

L. Nurser

INSPECTOR