



Appeal Decision

Site visit made on 23 January 2020

by T A Wheeler BSc (Hons) T&RP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/C2741/D/19/3238056

8 Trentholme Drive, York YO24 1EN

- 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 Glyn Longbottom against the decision of City of York Council.
 - The application Ref 19/00381/FUL, dated 13 February 2019, was refused by notice dated 17 July 2019.
 - The development proposed is Proposed refurbishment of 8 Trentholme Drive to include two storey front extension, 2 storey rear extension and new roof to existing house footprint.
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Decision

1. The appeal is allowed and planning permission is granted for two storey front extension, two storey rear extension including rear balcony in roof, single storey rear extension, alterations and extensions to existing roof and alterations to external materials at 8 Trentholme Drive, York, YO24 1EN in accordance with the terms of the application, Ref 19/00381/FUL, dated 13 February 2019, subject to the following conditions:
 - 1) The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
 - 2) The development hereby permitted shall be completed in accordance with the following approved plans:
 - Existing site plan – GL001 DE(9)901
 - Proposed site plan – GL001 DP(9)901 Rev A
 - Existing Plans and elevations – GL001 DE(0)001
 - Proposed Plans, ground, first and second floor – GL001 DP(0)001 Rev B
 - Proposed Elevations, front, sides and rear – GL001 DP(0)050 Rev B
 - 3) Notwithstanding any indication of materials which may have been given in the application, no development above damp proof course level shall take place until a schedule and samples of the materials and finishes for the development has been submitted to and approved in writing by the Local Planning Authority. The development shall then be carried in accordance with the approved details.
 - 4) Details of the boundary treatment between the site and no 10 Trentholme Drive shall be submitted to and approved in writing by the Local Planning Authority prior to the erection of any replacement walls or fences. The boundary treatment shall then be carried in accordance with the approved details.

Procedural Matters

2. The Council's reason for refusal refers to the Publication draft of the Draft York Local Plan 2018. As the emerging local plan, and given the stage of preparation, I give moderate weight to the relevant policies in my decision.
3. I have used the appellant's description of the proposal in the banner. The Council's description more fully sets out what is proposed and in the interests of accuracy I use that in my decision.

Main Issue(s)

4. These are the effect of the proposal on:
 - The character and appearance of the area; and
 - The living conditions of the occupiers of houses at nos 6 and 10 Trentholme Drive.

Reasons

5. The appeal property is located within a small residential estate, comprised mainly of brick built semi-detached properties with front gardens dating from the mid 20th Century. The first section of Trentholme Drive, leading from the A1086 Tadcaster Road is straight, it then splits to form a small loop. The appeal property, a detached house, is located at the point where the road divides. It appears to be of a later date than the semi-detached properties in the street, and the appellant states it was built in 1955 on former garden land. Whatever its age it is distinguished from its neighbours by the absence of bay windows a low pitched roof and lighter coloured brick.
6. The property is set back slightly from no 6, and slightly forward of no 10. To the side, there is a narrow gap to no 6, and a wider spacing to no 10. The proposal is to extensively rebuild the property in a more contemporary style. To the front, a forward projecting bay would be added, providing a hall and playroom at ground floor, two bedrooms at first floor, and a further bedroom at second floor within the roof. The roof would be raised in height by approximately 1m at the ridge, and to the side the existing shallow hips replaced with gables.
7. To the rear, at ground floor, an extension projecting approximately 10m from the existing main rear elevation would be added. At first floor, the extension would project approximately 4m from the existing building to provide a master bedroom, and at second floor a cinema room within the roof space, leading onto an external terrace.
8. As part of the work, an existing rear conservatory around 4m in length and a single storey element along the boundary with no 10 would be removed.
9. The building would be finished in a range of materials including red brick to the side and rear, cream coloured render, cedar timber to the front bay and grey slate and zinc to the roofs.
10. At the present time the property, when viewed in the street scene, is a far from prominent feature when entering from Tadcaster Road due its set back from the street and slightly under scaled appearance when seen in relation to its neighbours. The property is can be seen more clearly when approaching from

the other direction from where it projects forward significantly from no 10 and appears subservient to no 6. The proposal would undoubtedly result in a more visually assertive building, given the forward projecting gable, raised ridge, use of gable ends to the sides and the contemporary palette of materials. However, it would not project forward of the main front elevation of no 6, and that part of the building closest to no 10 would remain in the same alignment as at present. A staggered building line would be retained, although the set-back reduced, and good length front garden. It would therefore be a noticeable feature in the street scene, and very different in style from its neighbours, but that does not mean it would be obtrusive or out of keeping with the character of the area.

11. A similar point to the above could be made in relation to the new dwellings at Trentholme Villa and to a lesser extent no 21A.
12. The City of York Publication Draft Local Plan 2018 (the emerging Local Plan) and the City of York Development Control Local Plan 2005 (the DCLP) set out the policy approach to such development. The emerging Local Plan requires that proposals should respond positively to their immediate architectural context and local character and contribute to the wider townscape. Similarly, the DCLP requires that that development should make a significant contribution to the local character and, in the case of residential extensions, be of materials sympathetic to the main building and of a design and scale appropriate to the main building. The Council has also produced a Supplementary Planning Document on House Extensions and Alterations¹ (the SPD) which advises that extensions should normally appear subservient to the original building and respect the architectural style of the original building and area.
13. The proposal involves a remodelling of the whole building, therefore it is hard to apply the guidance in the SPD since very little, if anything of the style of the original building would remain. Similarly, it is hard to relate some aspects of DCLP Policy H7 to the proposal given the extent of the change proposed. However, the design and materials would be sympathetic to the locality, and the extensions would respect the existing spacing of the property in relation to its neighbours.
14. In terms of the emerging local plan, whilst the proposal would form a contemporary addition to the street scene, it would have architectural merit and whilst not mirroring the style of its neighbours, would represent a positive response to the townscape. The use of materials, including the cedar cladding to the front facing gable feature and zinc roof finish, would result in a more distinctive building than the property at present, but not one that would appear intrusive or overly dominant given its position of the site in relation to its neighbours.
15. I therefore conclude that the proposal would not harm the character and appearance of the area, therefore conforming with Policy D11 of the emerging local plan and Policy GP1 of the DCLP, and the Framework, which seek to promote development that adds quality to and is in sympathy with local character. There would be conflict with some parts of Policy H7 of the DCLP and the SPD given the extent of change to the property, however on balance this conflict is outweighed by the positive aspects of the development I have identified.

¹ Approved December 2012

Living conditions

16. The proposals were amended during the course of the application to seek to address concerns over the effects of the proposal on the occupiers of no 6 and 10, in terms of loss of outlook and privacy. My assessment relates to the amended plans.
17. The side elevation of no 10 faces towards the existing rear patio area and conservatory of the property. There is an eye level fence between the houses, and over part of the boundary a wall, and to the rear there is a single storey garage, close to the boundary. There are no habitable room windows in the elevation, although a window at first floor serves a stair, and there is a side facing, glazed, kitchen door. Under the proposal, a 2 storey extension would project approximately 4m from the existing rear elevation of the property. This would be set in around 2m from the boundary, and approximately 5m from the side wall of no 10, and be set well back from the rear elevation of the neighbour. Given the absence of side facing habitable room windows in the neighbouring property, the 2 storey element of the extension would cause no loss of outlook or otherwise significantly affect the living conditions of the neighbours.
18. The proposal also includes a single storey extension projecting further to the rear by a distance of approximately 6.0 metres beyond the 2 storey projection. This part of the extension would also be set in from the boundary by approximately 2m. Ordinarily an extension with a combined length of 10m close to the boundary of the neighbouring garden could lead to an issue of overdominance. However, given the presence of the garage within the rear garden and absence of side facing habitable room windows in the neighbouring property, such problems would not arise in this instance.
19. The rear of no 6 has been extended at ground floor. The side wall of the extension is in close proximity to the boundary with property, contains a circular feature window, and has rear facing bifold doors. The main rear elevations of both properties are in similar alignment and there are first floor bedroom windows in no 6. The proposed 2 storey extension would be located approximately 3m from the boundary with no 6. Given this setback, the proposal would have a limited effect on the outlook from the rear facing windows of no 6, but not such that it would significantly affect living conditions. There would also be only a limited effect on daylight entering the ground floor rear extension of no 6 via the feature window, which also benefits from daylight from the bifold doors.
20. The Council suggests that the critical effects on the living condition of the neighbours is the loss outlook from within the garden areas, and loss of privacy and noise due to the proposed first floor the balcony.
21. However, given the position of the proposed extension in relation to neighbouring properties, the effect on outlook from within the gardens would be very limited. In the case of no 10, views towards the property are limited by the garage. In the case of no 6, whilst the outlook from the garden is currently restricted due to the buildings to the rear, the proposed extension would not significantly reduce the outlook since the 2 storey element would project only slightly beyond the rear extension to no 6, and the garage at no 10 currently obscures views to a greater extent than would result from the proposed ground floor extension. In respect of the proposed balcony, there would be some

potential for overlooking, however the balcony would be of such a size that it would be little more than an outdoor sitting out area. The degree of overlooking would also be limited by the setting in of the balcony within the frame of the roof. The potential for noise disturbance would be no greater than that which can arise at any property when residents sit out in a patio area.

22. I therefore conclude that the proposal would not give rise to unacceptable effects on the living conditions of nos 6 and 10, and would therefore conform with policies H7 of the DCLP and D11 of the emerging local plan and the associated SPD which require that proposals should not result in adverse effects in terms of overlooking of adjacent garden areas from balconies or otherwise affect the amenity of neighbours, and the Framework which has similar aims.

Conditions

23. The Council has suggested conditions relating to commencement, materials and that the development should be carried out in accordance with the approved plans.
24. For certainty I attach the normal planning conditions limiting the period of the consent to 3 years and requiring the development to be carried out in accordance with the approved plans.
25. In the case of materials, the Council has suggested that these should match the existing building. However, the proposal involves the use of some new materials and in the interests of the visual appearance of the development it is important that these details are subject to approval by the Council. I therefore attach a condition to that effect.
26. It has been suggested by an interested party that the site could have some archaeological interest and that a planning condition should be attached in the event that permission is granted. However I have no information before me to support the point and the Council has not suggested that any form of archaeological condition should be attached.
27. An existing single storey part of the property which forms part of the boundary between the property and no 10 would be removed as part of the proposal. The application form suggests that the boundary treatments would remain as existing, suggesting that part of the brick wall would be retained. In order to remove any uncertainty and in the interest of the amenity of the occupiers of no 10 this matter I attach a condition requiring details of the boundary treatments to be agreed prior to the carrying out of these works.

Conclusion

28. For the reasons given above, I conclude that the appeal should be allowed.

Tim Wheeler

INSPECTOR