



Appeal Decision

Site visit made on 25 February 2020 by C McDonagh BA (Hons), MA

by Jonathan Hockley BA (Hons) DipTp MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st April 2020

Appeal Ref: APP/C2741/D/19/3242429

8 Beech Grove, Upper Poppleton, York, YO26 6DS

- 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 Gary Thirlaway against the decision of City of York Council.
 - The application Ref 19/01224/FUL, dated 12 June 2019, was refused by notice dated 22 November 2019.
 - The development proposed is single/two storey rear extension and detached garage.
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Decision

1. The appeal is allowed, and planning permission is granted for the construction of a single/two storey rear extension and detached garage at 8 Beech Grove, Upper Poppleton, York, YO26 6DS, in accordance with the terms of application Ref 19/01224/FUL, dated 12 June 2019 and 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: location and site block plan; drawing no. 2019 16 01 aside from the details of the proposed footprint of the extensions and detached garage: proposed elevations; drawing no. 2019 16 05C: proposed garage plan and elevations; drawing no. 2019 16 06A: proposed ground floor plan; drawing no. 2019 16 03C: proposed first floor plan; drawing no. 2019 16 04B.
 - 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.

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.

Main Issue

3. The main issue in this appeal is the effect of the proposed development on the character and appearance of the host property and whether the proposal would preserve or enhance the character and appearance of the Upper Poppleton Conservation Area.

Reasons

4. The appeal property is a semi-detached dwelling of red-brick construction located towards the end of a tree-lined cul-de-sac. The plot includes front and rear gardens with off-street parking. The street is characterised by matching pairs of semi-detached dwellings, although these differ in appearance from one side to the other. Modern alterations have been made to many of the properties, such as side and rear extensions and garages. Overall, the generous set-back of dwellings from the street and greenery create a pleasant rural environment.
5. The proposal comprises the erection of a part two-storey, part single-storey rear extension along with a detached garage. The two-storey element includes a pitched roof, the single-storey roof is flat, while the projection of both from the rear elevation is the same.
6. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The significance of the Upper Poppleton Conservation Area (CA) is derived largely from its village green and surrounding vernacular buildings. While Beech Grove is not specifically referenced to in the CA appraisal, characteristics such as the pairs of dwellings and tree-lined streets contribute positively to the CA.
7. The extension would be set down from the ridge and set in from the side of the host building with a modest projection. I note the Council's concern regarding the bulk of the extension created by its height given the rear eaves of the existing property are higher than those at the front. However, the front elevation has three separate eave heights with the dormer the most prominent. This is approximately the same height as the eave to the rear. Moreover, the single-storey element would ensure the original rear elevation remains legible and break up some of the mass of the proposal. Overall, the mass and design of the extension would be subordinate to the host building and not harm its character and appearance.
8. The extension would be visible from the street but only fleetingly towards the end of the cul-de-sac. The gaps between properties on this side of the street are generous but given the set in from the side of the rear elevation and the modest projection, the visual impact from the extension would not be significant. I note the Council's concern that the street has seen little alteration historically. However, on the site visit I witnessed side extensions, garages and hardstanding to properties have altered the character of the street and that much of the symmetry of the dwellings has lessened. Given the location of the extension to the rear, I do not consider the impact on the street scene would be material.
9. My attention is drawn to the extension to the rear of No.10, which I viewed on the site visit from the appeal property's garden. This appears largely the same as the proposal before me in terms of its design and scale. From my observations, while it wasn't as prominent from the street as the proposal before me it was nevertheless visible. Regardless, being able to see a development does not equal harm in and of itself and given I have assessed the extension as not harmful to the host property I do not consider there would be harm to the CA caused by the proposal. The Council also draw my attention to a scheme at No 3 Beech Grove, stated to have been refused twice and

dismissed on appeal before being approved. I have not been provided with further details of this case; however, I note that two of the other properties on the southern side of the street therefore have two storey rear extensions.

10. In light of the above, I conclude that the proposed development would not adversely affect the character and appearance of the host dwelling and would preserve the character and appearance of the CA. Consequently, the development would meet the statutory tests set out in the Act and would accord with the National Planning Policy Framework (the Framework) which seeks, amongst other matters, to protect the historic environment, promote good design and to ensure new development does not harm the character and appearance of areas. The proposal would also comply with policies PNP3 and PNP4 of the Upper Poppleton and Nether Poppleton Neighbourhood Plan 2016-2036 which state that all proposals for development in the village's Conservation Areas should preserve their special character or appearance and that proposals for development within Upper Poppleton will be supported where they bring forward high quality design appropriate to their character and appearance.
11. The Council's reasons for refusal also refer to policies in the City of York Draft Local Plan 2005 (the DLP), the emerging Publication Draft City of York Local Plan 2018 (the ELP) and the Supplementary Planning Document 'House Extensions and Alterations' (the SPD). Neither Local Plan has been formally adopted and I have considered them in the light of paragraph 48 of the Framework. The proposal would comply with policies D1, D4 and D11 of the ELP and policies H7, GP1 and HE3 of the DLP, which when read together state that development proposals that cause damage to the character and quality of an area will be refused, that proposals to extend existing buildings will be supported where the design responds positively to its immediate architectural context and local character, and that development proposals within a conservation area will be supported where they are designed to preserve the special character and appearance of the area. For the above reasons the proposal would also comply with the SPD, which states that any extension should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the road/streetscene it is located on.

Conditions and Recommendation

12. In the interests of proper planning and to provide certainty I have recommended the standard time limit condition and have specified the approved plans. However, I note that due to revisions in the design of the proposed extensions and detached garage details shown on the proposed site plan are no longer correct. Clarification is therefore provided within the wording of the condition to ensure that the approved plans relate to those shown on the latest revisions of the proposed house and garage plans. In order to protect the character and appearance of the area and host property it is also necessary to require that matching materials are used in the development.
13. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be allowed subject to these conditions.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is allowed.

J Hockley

INSPECTOR