



Appeal Decision

Site visit made on 10 November 2020

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 November 2020

Appeal Ref: APP/N2739/D/3258639

60 Green Lane, Selby, North Yorkshire YO8 9AW

- 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 Stephen Garbett against the decision of Selby District Council.
 - The application Ref 2020/0330/HPA, dated 23 March 2020, was refused by notice dated 7 July 2020.
 - The development proposed is single and two storey extension to rear of ex. semi-detached dwelling following demolition of single storey kitchen.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposed development upon the character and appearance of the host dwelling and the area; and (ii) whether it would cause harm to the living conditions of neighbouring occupiers, in regard to outlook.

Reasons

Character and Appearance

3. Green Lane is within a predominantly residential area characterised by a variety and mix of two storey houses and bungalows. The property forms a pair of semi-detached dwellings of similar appearance, characterised with identical features including hipped roofs. Despite some variation in form, the properties in the area present a discreet arrangement that appreciably contributes towards the local character.
4. The length of the proposed two-storey extension would be excessive along the side elevation, even though it would sit below the main roof of the house and be of materials to match. The sheer scale of the proposed extension would appear as a dominant addition to both the side and rear elevations, would not appear subservient and its scale and mass would be overbearing to the appearance of the host dwelling. As such, it results in a disproportionate addition and would have a detrimental impact to its character and appearance.
5. In addition, the position of the property would result in the proposed two-storey extension being clearly visible from those neighbouring properties at the rear. I would disagree with the appellant's assertion that it would not be visible

from Green Lane, as the two-storey extension would be seen within the street scene on approach along Green Lane, particularly due to the open aspect of the frontage/driveway and gap between properties, thus having clear views of the side elevation. When this is combined with its overall scale, mass, substantial width, and excessive length of the side elevation and roof ridge projecting from the host property, despite the removal of the detached garage it would create a negative and incongruous addition to the property and to the detriment of the character and appearance of the wider area.

6. For the reasons given above, I conclude that the proposed development would be harmful to the character and appearance of the host property and the area. Therefore, it would be contrary to Saved Policy ENV1 of the Selby District Local Plan, 2005, Saved 2008, (LP) and Policy SP19 of the Selby District Core Strategy Local Plan, 2013 (CS). Taken together, expects development to achieve high quality design and have regard to local character including the effect upon the character of the area, standard of layout and design.

Living Conditions

7. Although the two-storey extension would be set away from the boundary with No.58 Green Lane (No.58), it would still be of two-storey height and would project excessively some 5.4m from the existing first floor elevation. It would still be positioned in close proximity to the boundary and because of this, and the existence of windows on the first floor of No.58, the overall impact of the proposal would be oppressive and overpowering upon the outlook from inside this dwelling, particularly to the west.
8. I note the comments from the appellant in regard to the 45-degree zone and that the window is only a bedroom, but such rooms are not necessarily only used in the evening or for looking out at its own long rear garden as the appellant suggests.
9. In regard to No.62 Green Lane, (No.62) the proposed extensions would be in close proximity to the shared boundary. The excessive projection combined with the two-storey height from the existing rear wall, which would extend beyond the flat roof extension at No.62. Would result in a dominant and overbearing addition, when viewed from those existing windows along the side elevation and rear first-floor window towards the east, of No.62, causing an unacceptable level of harm to their existing outlook.
10. In addition, due to its height and proximity to the boundary, the extension would also have an enclosing and dominating effect upon the adjoining driveway/garden at No.62. This is in spite of the existing ground floor extension at the neighbouring property. Furthermore, I have no substantive evidence to support that it is not a primary outdoor space or used in connection with the both the front and rear garden areas.
11. For the reasons given above, I conclude that the proposed development would cause harm to the living conditions of neighbouring occupiers at No.58 and No.62, in regard to outlook. It would be contrary to Saved Policy ENV1 of the LP, which takes account of the effect upon the amenity of adjoining occupiers.

Other Matters

12. I have been referred to other developments in the area. However, I do not have the full details of these schemes and so cannot be certain that the circumstances are the same. In any event, those that I saw do not change the prevailing character of the area in order to justify the development before me. In any case I have considered the appeal proposal on its own merits.
13. The appellant pointed out that the property could be extended without the need for planning permission. Be that as it may, in my view any such extension would not be as substantial as the proposal now before me. Although there have been lack of objections from neighbours and the parish council for the proposed development, these considerations do not outweigh the harm caused by the development.
14. I acknowledge the appellants' desire to enlarge the family house, create open plan living and that the proposal would be a way to do this. Nonetheless, these are largely personal matters and do not outweigh the concerns that I have raised above.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

KA Taylor

INSPECTOR