



Appeal Decision

Site Visit made on 10 February 2021

by A M Nilsson BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 February 2021

Appeal Ref: APP/C2741/D/20/3256652

11 Hillcrest Avenue, Nether Poppleton, York, YO26 6LD

- 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 Barry Long against the decision of City of York Council.
 - The application Ref 20/00404/FUL, dated 24 February 2020, was refused by notice dated 16 July 2020.
 - The development proposed is a two-storey side extension, single storey rear extension and alterations to windows and door on front elevation, following demolition of garage
-

Decision

1. The appeal is allowed and planning permission is granted for a two-storey side extension, single storey rear extension and alterations to windows and door on front elevation, following demolition of garage at 11 Hillcrest Avenue, Nether Poppleton, York, YO26 6LD in accordance with the terms of the application, Ref 20/00404/FUL, dated 24 February 2020, 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: Proposed (mistakenly marked Existing) Site Plan – May 20; Proposed Ground Floor Layout – May 20; Proposed First Floor Layout – May 20; Proposed Elevations (North West and South East (mistakenly marked South West)) – May 20; Proposed Elevations (North East and South West) – May 20.
 - 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.

Preliminary Matter

2. I have taken the description of development from the Council's Decision Notice as this is more accurate.

Main Issue

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

Reasons

4. The appeal site comprises a detached bungalow that is situated in a small cul-de-sac of bungalows in a predominantly residential area. The extension would partly be constructed on the site of an existing single storey garage with flat

- roof. Although it would provide accommodation over two floors, the first floor of the development would be largely contained within the roofspace, in a manner similar to that of the adjacent detached property, 9 Hillcrest Avenue.
5. The appeal property is set back from the head of the cul-de-sac where, combined with the angle of the site boundary means that the location of the proposed extension is not prominent in the street-scene.
 6. Although the extension would be greater in scale than the existing dwelling, the difference in scale is not to such an extent that it would overwhelm the existing property. The elongation of the existing dwelling would serve to ensure that the proposal would be legible as an extension to the property despite its greater scale.
 7. Following the development, a substantial amount of the property would remain undeveloped to maintain a sense of spaciousness that exists in the area. Although the extension would come right to the side boundary, I do not find that the existing gap is of such significance in the street-scene that the development should be prevented on this basis. The gap to the other side of the property, that would be retained, is far more noticeable in the street-scene and this would continue to contribute to a sense of spaciousness.
 8. A proportion of the extension would be confined to the location of the existing garage to be demolished and following the additional elements of the extension there would still be a large landscaped garden to the front and rear, again contributing to a sense of spaciousness.
 9. I therefore find that the proposed development would not have a harmful effect on the character and appearance of the host property and the surrounding area. It would comply with Policy PNP4 of the Upper Poppleton and Nether Poppleton Neighbourhood Plan which requires that proposals are of high-quality design appropriate to their character and appearance and should respect the Design Guidelines.
 10. It would comply with Part 12 (Achieving well-designed places) of the National Planning Policy Framework (the Framework) (2019) that outlines, amongst other things, that planning decisions should ensure that developments add to the overall quality of the area; are visually attractive as a result of good architecture; are sympathetic to local character, including the surrounding built environment; and maintain a strong sense of place, using the arrangement of spaces, creating distinctive places to live; and that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area.
 11. It would also comply with Policies D1 and D11 of the City of York Local Plan Publication Draft (2018) which require, amongst other things, high quality design in all development proposals including in terms of space between buildings. It would also comply with Policies GP1 and H7 of the City of York Draft Local Plan (2005) which requires, amongst other things that, for residential extensions the design should be; sympathetic to the main dwelling and the locality of the development; appropriate in relation to the main building; respect the spaces between dwellings; compatible with neighbouring buildings, spaces and character of the area; and avoid loss of important gaps within development.

12. The proposal would also comply with the City of York Council, House Extensions and Alterations Draft Supplementary Planning Document (SPD) (2012) which outlines, amongst other things, that where the spacing between houses is a very important intact characteristic of the street it may be the case that a clear gap will need to be retained between the side of the extension and the side boundary. The SPD highlights that this is likely to be the case in a street containing a mix of house types as in such circumstances proposals to build adjacent to another house can lead to an uncomfortable 'clash of styles'. It is important that the erection of two-storey side extensions does not through overdevelopment, lead to the impression of the terracing of the front elevation of adjoining properties and the erosion of a street's spaciousness and character.

Other Matters

13. I have considered the Council's argument that the grant of planning permission would set a precedent for other similar developments. However, no directly similar or comparable sites to which this might apply were put forward. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case.
14. I note concern was expressed from a nearby resident in relation to overlooking. This matter is not pertinent to the main issue and given the separation that would be maintained from surrounding dwellings I do not find any unacceptable harm in this respect would be caused.

Conditions

15. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plans for the avoidance of doubt and in the interests of certainty. In the interests of the character and appearance of the area and the host property, it is necessary to impose a planning condition requiring the use of matching materials.

Conclusion

16. For the reasons given above, and having had regard to all other matters raised, I conclude that the appeal should be allowed.

A M Nilsson

INSPECTOR