
Appeal Decision

Site Visit made on 16 August 2021

by Sarah Housden BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 September 2021

Appeal Ref: APP/C2741/D/21/3278177

39 The Village, Wigginton, YORK, YO32 2PR

- 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 and Mrs E & J Scales against the decision of City of York Council.
 - The application Ref 20/02406/FUL, dated 8 December 2020, was refused by notice dated 14 May 2021.
 - The development proposed is 'first floor and part single storey/two storey rear extension'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 July 2021. Paragraph 218 indicates that its policies are material considerations which should be taken into account in dealing with applications from the day of publication. The principal parties were therefore invited to comment on any implications of the revised Framework for this appeal but did not submit any comments. I have determined the appeal having regard to the provisions of the revised Framework.
3. The Council has referred to Policies D1 and D11 of the Publication Draft Local Plan (2018) (PDLP) in the reasons for refusal. The PDLP examination is ongoing and I have no further information to indicate whether or not there are any unresolved objections or requirements for main modifications to Policies D1 and D11. Having regard to paragraph 48 of the Framework, PDLP Policies D1 and D11 therefore have limited weight in the determination of this appeal.
4. The draft Development Control Local Plan (2005) (DCLP) and the draft House Extensions and Alterations Supplementary Planning Document (2012) (draft SPD) have not been formally adopted but are material considerations in this case, together with the provisions of the revised Framework.

Main Issue

5. The main issue in this case is the effect of the proposed development on the character and appearance of the host dwelling and the surrounding area.

Reasons

6. The appeal dwelling is a detached brick and pantile cottage, located within the frontage development to the south of 'The Village' which is the main road running through Wigginton. Development in the vicinity of the appeal site comprises a variety of traditional dwellings of different styles and materials. Their position set back from the road behind established gardens and their traditional scale and character and appearance contribute to an established and attractive street scene. The appeal dwelling has a long rear garden with a vehicular access off Back Lane which runs to the rear of the plot.
7. The existing dwelling has a single storey extension to the side and a 'catslide' roof to the rear with a small flat roof dormer window at first floor. The narrow span of the gable and its lower ridge height compared with adjoining dwellings contribute to its traditional proportions and modest character and appearance. The single storey side extension has a wider gable than the original dwelling, but this does not undermine the dwelling's modest and unassuming character and appearance.
8. The proposed first floor extension would be positioned over the existing catslide roof projection together with a single storey lean-to against the rear elevation. Due to the separation gap between the appeal dwelling and No 41 The Village (No 41), the two storey extension would be visible when viewed from The Village. However, the roof ridge would be marginally below that of the existing dwelling and views of the side wall extending to the rear would be partially screened by the single storey side extension. The side elevation would not be disproportionately long in relation to the existing dwelling and would not appear unduly prominent in the context of the surrounding development when viewed from The Village.
9. However, due to its overall width and height, the extension's rear elevation would obscure the dwelling's existing rear elevation. Due to its width, the gable would have a very shallow roof pitch and a bulky and horizontal emphasis and would be a discordant and unsympathetic addition when viewed in conjunction with the narrow span and traditional roof pitch of the host dwelling. The window proportions would exacerbate the horizontal emphasis.
10. Whilst views of the rear elevation from Back Lane would be from a distance of approximately 50 metres, the wide gable would appear incongruous and awkward in the context of surrounding development when viewed from this public vantage point. The absence of any other wider public views does not negate the need for good design in terms of paying due regard to the form, scale and proportions of the existing dwelling.
11. From Back Lane, the extension would be viewed in conjunction with the projecting gables to the rear of No 41, but these have a steeper roof pitch. Furthermore, the date of the appeal decision for that extension referred to me by the appellant pre-dates the PDLP and DCLP policies and the draft SPD guidance. As such, the circumstances of that site and its policy context are not comparable with the case before me.
12. I conclude that the proposed extension would fail to respect the character and appearance of the host dwelling and the rear elevation would appear incongruous in the context of surrounding development which would be harmful to the character and appearance of the area. The proposal would

conflict with Policies GP1 and H7 of the DCLP in so far as they seek to ensure that the design and scale of an extension should be appropriate in relation to the main building. There would be further conflict with the draft SPD's guidance that extensions should normally appear subservient to, but in keeping with, the original building and that the roof pitch and style should reflect that of the existing house. The proposal would also fail to accord with PDL Policies D1 and D11 which, amongst other things, seek high quality design and to ensure that extensions respond positively to their immediate architectural context in terms of scale and proportion.

13. The weight against the proposal arising from the conflict with these policies is tempered by the limited weight that can be attributed to them in the determination of the appeal. However, the revised Framework at paragraph 134 is clear that development that is not well designed should be refused, especially where it fails to reflect local design guidance and the National Design Guide and the National Model Design Code. That is a material consideration of significant weight. In this case, the proposed extension would not relate well to the existing dwelling in terms of its form, scale, appearance and details and would be harmful to the character and appearance of the area, contrary to the guidance in the National Design Guide.
14. For the reasons outlined above and having had regard to all other matters raised, the appeal should be dismissed.

Sarah Housden

INSPECTOR