



Appeal Decision

Site Visit made on 12 October 2021

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 October 2021

Appeal Ref: APP/C2741/D/21/3277762

20 Wydale Road, Osbaldwick, York YO10 3PG

- 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 Scott Hanby against the decision of City of York Council.
 - The application Ref 21/00671/FUL, dated 17 March 2021, was refused by notice dated 28 May 2021.
 - The development proposed is a single storey rear extension.
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Decision

1. The appeal is dismissed.

Main Issue

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

Reasons

3. The appeal dwelling occupies a position on the corner of Wydale Road, which means that the rear elevation on which the proposed extension would be constructed is prominently located within the street scene. There are no dwellings which front onto the section of road that runs alongside this side boundary, but there are a number of extensions and outbuildings visible, all of which incorporate pitched roofs and have relationships to both their host dwellings and the public domain that have minimised their visual impacts. This gives a degree of coherence to the existing built form which surrounds the appeal site and ensures that subsequent extensions and outbuildings to adjacent dwellings have had only a limited visual impact on the street scene.
4. In contrast, the proposed development would extend not only beyond the rear elevation of the appeal dwelling, but beyond the side elevation closest to the public highway. This would create a visually awkward relationship to the existing dwelling and place a high blank side elevation wall closer to the public highway than the gable wall of the original property. Furthermore, it would incorporate a flat roof which would be at odds with the prevailing roof constructions found in the area, and this would accentuate its visual impact in relation to other built development. Collectively, these factors mean that the proposal would appear as an incongruous feature and one which would cause significant harm to the character and appearance of both the host dwelling and the surrounding area.
5. Whilst there is established vegetation present along parts of the side boundary of the appeal site with the public highway and along the entire rear boundary,

the proposal would still be visible from many vantage points within the street scene. In any event, reliance on the existing vegetation to perform a screening function would be dependent on it not being reduced in height, removed or dying. This consideration does not therefore overcome the harm that would be caused by the proposed development.

6. For these reasons, I conclude that the proposed development would cause significant harm to the character and appearance of the host dwelling and the surrounding area. Consequently, the proposal would fail to accord with Policies GP1 and H7 of the Development Control Local Plan 2005, where they seek to safeguard character and appearance. There would also be a conflict with Policies D1 and D11 of the City of York Local Plan – Publication Draft 2018, with the House Extensions and Alterations Supplementary Planning Document 2012 and with The National Planning Policy Framework in the same respect.

Other Matters

7. It is suggested that it would be possible to construct a flat roofed extension to the rear of the dwelling using permitted development rights, but there is no substantive evidence before me to demonstrate whether or not this would be possible or what form it would be able to take. Therefore, a comparison of the relative impacts that could arise is not possible. Accordingly, this matter carries only limited weight, and it does not outweigh the harm to character and appearance that I have found.
8. Reference is made to repairs being required to the appeal dwelling and that these would only be made if planning permission is obtained for the appeal proposal, and that locally sourced materials and labour would be used. It is also acknowledged that no objections were received from interested parties to the planning application. These considerations do not however justify a harmful development.

Conclusion

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

Graham Wraight

INSPECTOR