
Appeal Decision

Site visit made on 11 February 2022

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2022

Appeal Ref: APP/C2741/D/21/3284645

21a Holyrood Drive, Rawcliffe, York, North Yorkshire YO30 5WB

- 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 Ray Thompson against the decision of City of York Council.
 - The application Ref 21/01503/FUL, dated 15 June 2021, was refused by notice dated 25 August 2021.
 - The development proposed is 'dormer to rear and 2no. rooflights to front'.
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Decision

1. The appeal is allowed and planning permission is granted for a dormer to rear and 2no. rooflights to front at 21a Holyrood Drive, Rawcliffe, York, North Yorkshire YO30 5WB in accordance with the terms of the application, Ref 21/01503/FUL, dated 15 June 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: drg nos. LOC PLAN; SITE PLAN; RTHD/01; RTHD/02; RTHD/03; RTHD/04.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on approved plan drg no. RTHD/03.

Procedural Matters

2. The description of development given on the application form has been updated by subsequent documents. Accordingly, I have adopted the description of development given on the appeal form as I consider it to be accurate and precise with respect to the proposal before me.
3. The Council's decision notice refers to policies in the City of York Draft Local Plan 2005 (DLP), the City of York Local Plan - Publication Draft February 2018 (emerging LP) and a Supplementary Planning Document 'House Extensions and Alterations', approved December 2012 (SPD). Although the Council states that it has approved the DLP for development control purposes and the emerging LP has been submitted for examination, neither have been formally adopted and therefore, the DLP and the emerging LP do not form part of the statutory development plan. Consequently, I only afford their relevant policies and associated guidance weight as material considerations insofar as they are consistent with the National Planning Policy Framework (the Framework).

Main Issue

4. The main issue of the appeal is the effect on the character and appearance of the host property and the area.

Reasons

5. No 21a Holyrood Drive (No 21a) is a semi-detached two storey dwelling which forms a pair with No 21. It consists of a side gable roof design with an existing large two storey side extension and single storey flat roofed rear outrigger. The property is located on a corner plot at the junction with Conway Close which forms a residential cul-de-sac behind the rear boundary wall of the property. The dwellings facing onto Conway Close and its turning head have a different alignment of building lines that are broadly perpendicular to those of No 21a.
6. During my visit I observed that the mix of detached and semi-detached properties nearby on Holyrood Drive and facing Conway Close, although of broadly similar height, have noticeable variations in building lines, form, scale, configuration, and architectural detailing. There are also a variety of roof forms, including front gable and side gable roof designs, together with the use of catslide style roofs with front dormers. Other noticeable features include the intermittent presence of rooflights and solar panels that are visible along Holyrood Drive and in the wider area. The resultant effect is varied roofscapes in the respective street scenes with character derived from the relationship of different designs, form and proportions of individual properties which provide visual interest, rather than uniformity. In that context, whilst dormers are not an established feature of the rear roofscape of Holyrood Drive when viewed from Conway Close, there is already a notable absence of rhythm due to the presence of mixed roof forms set against the backdrop of a different alignment of roofs of properties that face Caithness Close beyond.
7. To my mind, the variation of styles and forms of properties that face Holyrood Drive and the rear roofscape that is visible from Conway Close provide an opportunity for appropriate alterations of the roof slopes of No 21a without causing harm to its character and distinctiveness or that of the local area. In reaching that view, I have taken into account that the SPD, unlike its approach to front dormers, does not specifically seek to prevent rear dormers even where there are few or no rear dormer windows in streets. The SPD does, however, indicate that dormers should be designed so that they do not dominate the roof. As such it seeks that the style, materials and shape of dormers relate to the appearance of the house, including positions of existing windows, and that they are not out of character with surrounding properties.
8. The proposed rear dormer is of a box style design with a flat roof that incorporates a slight set down from the roof ridge and a set in from the edge of the main roof, together with a considerable set back from its eaves. It also includes smaller proportioned windows that align with and are subordinate to the windows below. In those respects, and taking account of the different rear gable roof profile at No 19, it is evident that the rear dormer located towards the upper part of the roof has been carefully designed so that it would not appear overly large, dominant or out of character in the context of the surrounding area. Its slimline appearance also would not make the existing property appear 'top heavy'. As such the proposed rear dormer would not have an unacceptable impact on the character and appearance of the property or the group of properties within which it would be viewed from public vantage points.

9. The rear dormer would also have a satisfactory relationship with surrounding properties in terms of light and outlook. This is noting that it would face toward the blank gable of No 1 Conway Close, the turning head of the cul-de-sac and private driveways beyond which are already overlooked by first floor windows.
10. The Council have not expressed specific concerns in terms of the design and appearance of the front rooflights. Based on my observations of the varied roofscapes visible along Holyrood Drive they would be acceptable additions that would not appear out of character relative to the host property or the area.
11. I conclude that the proposed development would not harm the character and appearance of the host property and the area. The Framework does not include policies that are specific to house extensions but does expect development to add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to local character and the surrounding built environment, while not preventing or discouraging appropriate innovation or change. To my mind, the proposal falls within such a definition of being well-designed and broadly accords with the expectations of the Framework. As such, it does not conflict with Policies GP1 and H7 of the DLP, Policy D11 of the LP, or associated guidance in the SPD, insofar as they are relevant and consistent with the Framework in seeking a high-quality design with scale and materials that are sympathetic to the main dwelling and the locality of the development.
12. The proposal is necessarily considered in the context of paragraph 11d) of the Framework, as neither the DLP nor the LP have been formally adopted. In that respect, the property is not in a location where the application of policies in the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed. Furthermore, based upon my previous findings, there are no adverse impacts of the proposal that would significantly and demonstrably outweigh the limited economic benefits that would arise from construction of the proposal, or the limited private benefits afforded to the occupiers of the dwelling through provision of additional living space. In such circumstances, the Framework indicates that planning permission should be granted.

Conditions

13. The Council recommended three conditions be imposed should I be minded to allow the appeal, which I have considered against the tests of the Framework and advice provided in Planning Practice Guidance. In that respect, the time limit and plans compliance conditions are required in the interest of certainty of the permission granted. However, it is not necessary to impose a condition requiring matching materials, rather an alternative condition is necessary to secure the materials set out in a submitted plan (ref: RTHD/03). That plan indicates the use of grey boarding to walls and a rubberised flat roof or similar for the rear dormer, together with window details, which are acceptable.

Conclusion

14. For the reasons given above, I conclude that this appeal should be allowed and planning permission granted subject to the conditions set out previously.

Gareth Wildgoose

INSPECTOR