The Planning Inspectorate

Appeal Decision

Site visit made on 15 March 2022

by David Reed BSc DipTP DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21st March 2022

Appeal Ref: APP/C2741/D/21/3286933
46 Markham Street, York YO31 8NR

- 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 D Freeman against the decision of City of York Council.
- The application Ref 21/01901/FUL, dated 9 August 2021, was refused by notice dated 5 October 2021.
- The development proposed is a single storey side and rear extension.

Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr D Freeman against City of York Council. This application is the subject of a separate Decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

Character and appearance

4. The proposal is for a single storey duo-pitched roof extension to the rear of No 46 Markham Street, a Victorian style end terrace house on the corner of Eldon Street. The extension would link the house to the detached garage which fronts onto Eldon Street at the end of the plot. It would also extend out a metre or so towards the side property boundary which forms the back edge of the footway along Eldon Street and is currently marked by a low wall.

5. The Markham Street/Eldon Street area comprises a grid pattern of Victorian style terraced housing with standard plot widths, straight building lines, uniform brickwork and consistent detailing. Ground floor bay windows are also a particular characteristic of the neighbourhood.

6. No 46 has a ground floor bay window on its front elevation in common with all the other houses on Markham Street but there is also a bay window on the side elevation facing Eldon Street. The proposal would replace this feature with a long single storey brickwork projection relieved by three high level windows and five conservation style rooflights.

7. Although No 46 is unusual in having a bay window to the side, it forms an attractive and distinctive feature on Eldon Street and reflects the others along that road. The appellant states that this is not an original feature of the property, but no evidence is submitted to support this assertion and its brickwork and detailing appear very similar to that on the front elevation. In any event, the loss of the bay window feature would unduly detract from the consistent design characteristics of the area.

8. The proposal would also extend the property towards Eldon Street breaching the uniform building line which runs all the way from Lowther Street to Neville Street. To the south the properties are set back behind short front gardens, to the north No 49 Markham Street and No 73 Eldon Street directly front onto the footway which explains the absence of bay windows. Whilst the proposal would result in a fairly modest forward projection, given the uniformity of layout in the area this would have an incongruous appearance when seen from either direction along the road.

9. For these reasons the proposal would significantly harm the character and appearance of the street scene in conflict with Policies D1 and D11 of the City of York Local Plan Publication Draft 2018, Policies GP1 and H7 of the Development Control Local Plan 2005 and the House Extensions and Alterations SPD 2012. These resist proposals that cause damage to the character and quality of an area, require a positive response to the architectural context, respect for the local environment and a design sympathetic to the main dwelling and the locality.

Other matters

10. Drawing 21.3074-05 shows the extension projecting further from the front of the garage than the flank wall of the house, leading to a progressively lower eaves height not shown on the proposed elevation drawing 21.3074-06. This irregularity would be a further incongruous feature of the scheme.

Conclusion

11. The proposal would provide improved open plan living accommodation suitable for a wheelchair user and a much-needed home office. However, these material considerations would not outweigh the adverse effect on the character and appearance of the street scene and the associated conflict with the emerging development plan.

12. Having regard to the above the appeal should be dismissed.

David Reed

INSPECTOR