



Appeal Decision

Site visit made on 22 February 2022

by Katherine Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th March 2022

Appeal Ref: APP/C2741/D/21/3287527

33 Walney Road, York YO31 1AH

- 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 Rob Wood against the decision of City of York Council.
 - The application Ref 21/01719/FUL, dated 14 July 2021, was refused by notice dated 21 September 2021.
 - The development proposed is a two storey side and single storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On my site visit I observed that development had commenced, with the ground floor of a rear and side extension partially constructed. I have, however, dealt with the appeal on the basis of the plans before me.

Main Issue

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

Reasons

4. No 33 is a two-storey semi-detached property by the junction of Walney Road and Heworth Hall Drive. The property, along with its symmetrical attached neighbour No 35, have a central half-timbered gable projection to the front. That lends them a distinct form and character, shared with only a handful of other properties nearby (Nos 33 to 43 and 30 and 32). Thus, in location and character, No 33 is somewhat unique.
5. Nonetheless I saw how the area is characterised by a strong sense of harmony. Properties appear to share common origins. They have been constructed to similar traditional building proportions and scale. They feature principally red brick, accentuated with elements of render consistent with early twentieth century architecture. Significantly properties, including No 33, are regularly arranged in broadly consistently sized plots.
6. I saw that they are all similarly set back from the highway with comparable separation distances between flank elevations and boundaries. Wide grass verges and mature gardens predominate, lending the area a verdant suburban character. Whilst various properties have evidently been altered over time, I saw that such amendments tended to be relatively modest, and they do not cumulatively alter the characteristic sense of coherence here.

7. I appreciate that the proposal has been set in from the principal elevation of the host property and down from the ridgeline, and that the hipped roof proposed would reduce the bulk of the proposed extension as it projects towards Heworth Hall Drive. I also accept that the proposal has been designed with the intention of using materials to match those existing at No 33 and the wider area, and that clearing planting and trees from the garden may not require authorisation.
8. Nonetheless the scheme would represent a substantial addition to the property. It would unbalance its existing symmetry which is inherently aesthetically pleasing and distinctive. I was unable to identify similar extensions of such scale in the surrounding area. In my view, given the location of the site and proximity to the junction of Walney Road and Heworth Hall Drive, the scheme would be highly visible from public vantage points. It would erode the characteristic relationship of properties to their plots that prevails here.
9. Relative to the existing consistency of form and design of nearby properties, described above, the scheme would appear clearly incongruous. Moreover, the hipped roof form would interact awkwardly with the existing roof form of Nos 33 and 35, appearing haphazardly designed rather than consciously integrated (by virtue of its form, scale and set down from the ridgeline). Taken as a whole, the proposed extension would in my view appear as an unsympathetic extension to the host property and discordant in the wider area.
10. Therefore, for the reasons set out, the proposed extension would be a prominent and unsympathetic feature causing harm to the character and appearance of the host dwelling which would also adversely affect the character and appearance of the surrounding area and more specifically the distinctive row of houses within which the appeal property sits. As such it would be contrary to Policies GP1 and H7 of the City of York Draft Development Control Local Plan (2005) and Policies D1 and D11 of the City of York Local Plan – Publication Draft (2018) which seek, in summary, to ensure that new development is of a high quality. Likewise, the proposal would fail to achieve the design objectives set out in National Planning Policy Framework paragraph 130.
11. It would also be contrary to the advice set out in the Council's Supplementary Planning Document 'House Extensions and Alterations' (2012) which advises that side extensions should be designed to harmonise with the property and should not detract from the spaciousness of the area.

Other Matters

12. I note that the appellant states he had positive pre-application discussions. However, pre-application discussions are not binding on any future decision the Local Planning Authority may make once a proposal has been subject to the formal planning process. This does not lead me to a different conclusion on the main issue. I also note that planning permission has been granted previously for a single storey side and rear extension. I acknowledge that this forms a realistic fallback position for the single storey element of the proposal, to which I have had regard in coming to my conclusion. However, the scheme before me would be far more imposing and prominent than that scheme.
13. The appellant also claims that a loft conversion could be carried out without the need for planning permission, and this would look more imposing than the

proposal before me, but I have little evidence to support this claim (such as a certificate of lawful development) and that does not provide a compelling ground on which to allow the appeal. I acknowledge that there have been no objections from neighbouring residents or the Heworth Planning Panel, however a lack of objection does not equate to a lack of harm.

14. The appellant has referred to other houses on the road and surrounding streets which have been extended to the side. I do not have the details of these before me or their status with regards to planning permission. However, in almost all instances these have hipped roofs on originally hipped roofed properties. In any event, I must consider the appeal on its own merits and the presence of these does not overcome the harm that I have otherwise found.

Conclusion

15. For the reasons given above, having considered the development plan as a whole and all relevant material considerations, I conclude that the appeal should be dismissed.

Katherine Robbie
INSPECTOR