



Appeal Decision

Site visit made on 7 June 2022

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th July 2022

Appeal Ref: APP/C2741/D/22/3295922

8 Portland Street, York YO31 7EH

- 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 Prof Michelle Peckham against the decision of City of York Council.
- The application Ref 21/02502FUL, dated 10 November 2021, was refused by notice dated 6 January 2022.
- The development proposed is described on the application form as 'alteration and refurbishment with the addition of a dormer window to the rear of the property...'.

Decision

1. The appeal is allowed and planning permission is granted for alteration and refurbishment with the addition of a dormer window to the rear of the property at 8 Portland Street, York YO31 7EH in accordance with the terms of the application, Ref 21/02502FUL, dated 10 November 2021, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: DRG NO. 100 (Site Location and Plan); DRG NO. 301A (Proposed Ground, First and Second Floor Plans); DRG NO. 302D (Proposed Third Floor and Roof Plan); DRG NO. 303D (Proposed Elevations); DRG NO. 304D (Proposed Section).

Preliminary Matter

2. In the banner heading I have set out a truncated form of the description of development in the application form, omitting that which is unnecessary to accurately describe the scheme.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and surrounding area, including Character Area 5: Gillygate (CA5) of the Central Historic Core Conservation Area (CHCCA).

Reasons

4. The appeal property is a mid-terrace 3-storey dwelling with brick facing and a slate roof within CA5 of the CHCCA. The CHCCA derives significance from its street pattern and layers of historic architecture, which reflect the development of the city over its long history. CA5 sits in the northern part of the CHCCA and

comprises a mix of predominantly eighteenth and nineteenth century architecture, with pockets of more contemporary development in places. Portland Street is described within the Conservation Area Appraisal as a side street of Gillygate, a main thoroughfare leading into the city centre.

5. Portland Street is a well-preserved and relatively uniform nineteenth century terrace, albeit with some variation in building heights. Rear and front dormer windows can be found in various forms throughout CA5, of varying degrees of prominence and aesthetic integration. Nevertheless in traditional proportions, material and arrangements, buildings on Portland Street, including No 8, contribute to the significance and overall historic coherence of the CHCCA.
6. Viewed from Bootham Row to the south-west however, the rear elevation of the Portland Street terrace is less consistent. I saw that it features a more varied roofscape with a changing roofline, sporadic roof lights, dormer windows of differing sizes and styles, and different height chimney stacks with varied chimney pot designs. Materiality generally remains consistent however with matching brickwork and slate tiles throughout, though notably existing dormers deviate from this in places, but maintain a consistent colour scheme.
7. This area immediately behind the terrace, from which the rear roofscape can be observed, features a less structured urban form, punctuated by surface car parking, and is noticeably less trafficked by vehicles and pedestrians. There is a greater variety in architectural styles, scale and ages of buildings, including the more contemporary Radio York building which the Conservation Area Appraisal describes as 'hidden' and having 'little impact on the appearance of the area'. Whilst this area can be glimpsed in the occasional narrow alleyways along Gillygate or in passing from the junction with Bootham, its features are often discordant with the prevailing character of CA5 or otherwise obscured.
8. The proposed dormer is of contemporary design. The proposed use of large glazing panels, modern materials and a flat roof deviate from the traditional architecture of No 8. However, the vertical emphasis of the rear glazing is sympathetic to that of the main elevation windows and, given the scale of the host dwelling, the proportions appear commensurate, do not result in a top-heavy appearance, and will allow original roof features to still be appreciated. Contemporary design and historic forms are not inherently inimical and in this instance the former would sit comfortably relative to the latter.
9. The Council has indicated that should the appeal be allowed then the finishing materials should match those used in the existing building. The chosen materials and colours have been designed to complement existing materials and will enable the proposal to be read as a sympathetic contemporary extension to the roof. The original Welsh slate tiles are to be reused across the main roof slopes. The approved plans articulate the proposed materials, and so the suggested matching materials condition is not appropriate in this instance.
10. In the above context, I find that the proposed development would not harm the character or appearance of the host property or the surrounding area, including the CCHCA, the preservation and enhancement of which I apportion great weight to. It would therefore accord with the clear expectations of statute in this respect¹.

¹ Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.

11. The proposal therefore complies with policies GP1 and HE2 of the City of York Draft Local Plan Incorporating the 4th set of changes Development Control Local Plan Approved April 2005 ('LP 2005'), concerning design and the effects of development on conservation areas. It also complies with emerging policies D4 and D11 of the City of York Local Plan – Publication Draft February 2018 ('LP 2018') with respect to these matters and extensions to existing buildings. I also find no substantive conflict with the Council's Draft House Extensions and Alterations Supplementary Planning Document, Approved December 2012, concerning the effects of development on the local character and streetscene and the effect of dormer windows and roof extensions. Finally, the proposal is also consistent with Government policy in Chapter 16 of the National Planning Policy Framework, in relation to conserving and enhancing the historic environment.

Conclusion

12. For the reasons given above I conclude that the appeal should be allowed.

Ryan Cowley

INSPECTOR