



Appeal Decision

Site visit made on 13 December 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 January 2023

Appeal Ref: APP/C2741/D/22/3306382

18 Weavers Park, Copmanthorpe, York YO23 3XA

- 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 Gary Partington against the decision of City of York Council.
 - The application Ref 22/00349/FUL, dated 15 February 2022, was refused by notice dated 8 July 2022.
 - The development proposed is a 2 storey extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the description of development from the application form. In doing so, I have removed words that are not acts of development.
3. The Council's reasons for refusal refer to the City of York Draft Local Plan Incorporating the Fourth Set of Changes - Development Control Local Plan (2005) (DCLP) and the emerging Local Plan (the emerging LP) which is currently undergoing examination. Although the DCLP does not form part of the statutory development plan for the purposes of S38(6) of the Planning and Compensation Act 2004, it is a material consideration in determining planning applications. I have given both the DCLP and the emerging LP weight only in so far as they are consistent with the National Planning Policy Framework (the Framework).

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

5. Weavers Park is a suburban cul-de-sac comprising of predominantly two storey detached houses. Although most dwellings have hipped roofs, front gables projecting out a short distance from the main front elevations are present throughout Weavers Park and provide a degree of consistency to the streetscene. Roofs are typically unbroken with limited examples of chimneys, dormer windows or rooflights. The dwellings are aligned with the curvature of the road and set back behind short driveways or small open front gardens.
6. The appeal site is a detached dwelling located close to the eastern turning head of Weavers Park. Its shared garage lies perpendicular to its front elevation, set forward of its open front garden. The garden provides a small gap in the built

form here, and, alongside the comparatively low height of the garage block gives a more open feel to the streetscene at this point. Consistent with the character of the streetscene, the dwelling incorporates a two storey gabled bay projection to the front elevation. The dwelling is aligned with its neighbour and the dwellings to the south, although these are set slightly forward of the appeal property and its neighbour.

7. The proposed two storey front extension would be of a significant scale, extending out over much of the front garden and infilling the majority of the gap between the side elevation of the detached garage and the front elevation of the dwelling. As a result, it would become a dominant and bulky structure in views from the turning head, limiting the break in the built form here and reducing the open appearance.
8. Its excessive scale and incorporation of a dormer window in the most visible roofslope would ensure that the proposed extension would appear as a prominent and incongruous addition to the streetscene that would be poorly related to its surroundings. Whilst I accept that the dwelling is located in a corner of the cul-de-sac, it is nonetheless still visible from it and the proposed two storey extension would easily be seen by those using the turning head.
9. Paragraph 7.4 a) of the York House Extensions and Alterations Draft Supplementary Planning Document (2012) (the SPD) states that *'Where a street or group of buildings has a clearly defined building line it should be retained and extending forward of a streets' building line should be avoided. Only in exceptional circumstances will this be appropriate (e.g. where the building line is not well defined or the front gardens of properties in the vicinity are well screened.'*
10. The building line is reasonably well defined in this location and the appeal proposal would extend well beyond those properties set forward of the appeal property. The front garden is easily visible from the turning head and I am not directed to any other exceptional circumstances that would indicate an extension beyond a building line is acceptable. Whilst I am mindful that this is only guidance, for the above reasons the proposal would conflict with the SPD. This reinforces my above assessment.
11. For the reasons outlined above, the proposed extension would be harmful to the character and appearance of the existing dwelling and the character and appearance of the streetscene. The proposal would therefore conflict with Policies D1 and D11 of the emerging LP which seek to provide high standards of design and preserve character and appearance. The proposal would also conflict with Policies GP1 and H7 which together seek to ensure new development respects character and appearance and is compatible with the layout, scale, mass and design of the existing and neighbouring buildings, and the character of the area.
12. The proposal would also conflict with paragraph 130 of the Framework which, amongst other things, seeks to ensure new developments add to the overall quality of the area, are visually attractive and sympathetic to the character and appearance of the area. Conflict would also occur with the SPD, described above.

Other Matters

13. I have had regard to the dormer window present at 8 Weavers Close nearby. However, this is not comparable with that forming part of the appeal proposal as it does not face the road frontage and is in a less prominent location. Nonetheless, the overwhelming character in Weavers Park is of unbroken roofs without dormer windows. Furthermore, my attention has been drawn to another dormer window that has been approved at 4 Drapers Croft on another cul-de-sac nearby. Nevertheless, I am not provided with any details of that approval, such as the policy context at the time, extant approvals or pre-existing development. I therefore cannot be certain as to whether this represents a parallel with the appeal proposal. I also note that this cannot be seen from the appeal site.
14. The appellant has referred to a large extension approved under 06/01175/FUL. Based on the information before me this approval appears to pre-date the publication of the Framework, the SPD and the emerging LP. I note that there also appears to have been pre-existing development on the site of the proposed extension in the form of a large adjoining garage. This approval is therefore not comparable to the appeal proposal, nor can the resulting extension be seen from the appeal site.

Conclusion

15. For the reasons given above, having considered the approach in the Framework and all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR