



Appeal Decision

Site visit made on 23 February 2023

by S Hunt BA (Hons) MA MRTPI

Inspector appointed by the Secretary of State

Decision date: 28 February 2023

Appeal Ref: APP/C2741/D/22/3311762

23 Fordlands Road, Fulford, York YO19 4QG

- 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 Mrs Ruth Townsend against the decision of City of York Council.
 - The application Ref 22/01197/FUL, dated 7 June 2022, was refused by notice dated 9 September 2022.
 - The development proposed is garage conversion to activity room.
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Decision

1. The appeal is allowed and planning permission is granted for a garage conversion to activity room at 23 Fordlands Road, Fulford, York YO19 4QG in accordance with the terms of the application, Ref 22/01197/FUL, dated 7 June 2022, 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: Location Plan (PP0182-2), Site Plan (PP0182-3), Block Plan (PP0182-4) and Plans and Elevations (PP0182-5 to 9).

Main Issue

2. The main issue is the effect of the proposed extension alterations on the character and appearance of the area, with particular reference to use of materials.

Reasons

3. The appeal site is situated on a corner plot in an area predominately comprising two storey semi-detached and terraced dwellings, mainly constructed from red brick under pitched pantile roofs. The existing flat-roofed single storey garage is relatively unobtrusive in the street scene, being constructed of similar brick to the original house and well-screened by boundary hedging. It enjoys a spacious plot, being set back from both Fordlands Road and Crossfield Crescent. There are some examples of the use of materials other than red brick and pantiles in the area. I noted the use of white render on a bungalow a short distance along Fordlands Road, and at a nearby newly built housing development 'Germany Beck'.
4. The proposed alterations to the existing extension would include the erection of a mono-pitched roof with sedum 'green roof' covering and fixed glass roof

lights, and the application of white render to the walls, together with grey uPVC triple fold doors inserted to the front elevation. The footprint of the extension would remain unaltered.

5. The white rendered walls would contrast markedly to the red bricks and would make the extension more noticeable. This would not, however, be harmful within the street scene, given the spacious gardens around the property and existing hedge screening. Additionally, the sedum roof would not result in harm to area character, and the biodiversity and environmental benefits cited by the appellant are persuasive. The replacement materials would also bring insulation benefits over and above the existing construction.
6. I appreciate that the boundary hedges could be removed or reduced in height in the future, and that the Council have concerns about the roof developing an unkempt appearance if poorly maintained. However there is no evidence before me to suggest that this would be likely to occur.
7. Overall, I find that the design of the proposed development and use of materials would not result in harm to the character and appearance of the area. It would be in accordance with policies GP1 and H7 of the draft York Development Control Local Plan (2005) and policies D1 and D11 of the City of York Publication Draft Local Plan (PDLP), which relate to design and area character considerations.
8. I note that the City of York Council does not currently have a statutory development plan. Whilst the PDLP was submitted for examination in May 2018 and an initial set of Examination hearings took place in December 2019, no update on its current status has been provided. There is no evidence before me to indicate the extent of any unresolved objections, nor the degree of consistency with the National Planning Policy Framework (the Framework). Therefore, having regard to paragraph 48 of the Framework, I afford limited weight to the aforementioned policies. Likewise, whilst the draft House Extensions and Alterations Supplementary Planning Document (2012) (SPD) provides some useful guidance, I can only give it limited weight in my decision.
9. The appeal is therefore allowed, subject to a standard time limit condition and a condition requiring the development to be carried out in accordance with the approved plans (which state the type of materials to be used).

Susan Hunt

INSPECTOR