



Appeal Decision

Site visit made on 17 March 2023

by J D Westbrook BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17th April 2023

Appeal Ref: APP/N2739/D/22/3310757

4 Acme Terrace, Church Fenton, Selby, LS24 9RG

- 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 Anthony Burns against the decision of Selby District Council.
 - The application Ref: 2022/0630/HPA, dated 15 May 2022, was refused by notice dated 18 August 2022.
 - The development proposed is the construction of a single-storey front extension.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are the effect of the proposed extension on:
 - The character and appearance of the area around Acme Terrace and Main Street, and
 - The living conditions of the occupiers of Nos 3 and 5 Acme Terrace by way of outlook.

Reasons

3. No 4 is a mid-terraced house situated on the north side of Main Street, and is the middle property in a short row of houses known as Acme Terrace. The row of houses is characterised by long, narrow front gardens. Nos 3–7 have brick front elevations, while Nos 1 and 2 have rendered facades. All have ground-floor front elevations of similar design with regard to configuration of front doors and windows. To the rear of the properties are small outbuildings within an area used for parking and access which is served by a narrow lane that runs off Main Road along the side of No 1.
4. The proposed development would involve the construction of a front extension some 3.5 metres deep, 3.6 metres wide and with a height of around 3 metres to the eaves. It would have a shallow mono-pitch roof. The extension would have brick piers at the front, with white PVC panels to each side, and full width patio-type glazed doors between the piers.
5. Policy SP1 of the Council's Core Strategy document (CS) indicates that the Council will secure development that improves the economic, social and environmental conditions in the area. Policy SP19 of the CS indicates that proposals for all new development should achieve high-quality design and have regard to the local character, identity and context of its surroundings.

6. Policy ENV1 of the Council's Local Plan (LP) indicates that proposals for development should provide a good quality of development, and that in considering proposals the Council will take account of, amongst other things, the effect upon the character of the area or the amenity of adjoining occupiers; the standard of design and materials in relation to the site and its surroundings; and the extent to which the needs of disabled and other inconvenienced persons have been taken into account.
7. Policy CH2 of the Church Fenton Neighbourhood Development Plan (NP) indicates that development proposals within the historic core of Church Fenton or which would affect its character should respond to and integrate with its built environment. In particular development proposals should have regard to, amongst other things: ensuring that proposals for extensions will be designed to respect and complement the original building in scale, massing, form, materials and detailing; reflecting and respecting nearby buildings with regard to materials, textures, colours and proportions; achieving high quality design that respects the scale, massing, form and character of existing buildings in the immediate locality of the site concerned.
8. The Council contends that the proposed development would be an obtrusive feature on the front elevation of the dwelling and would detract from the harmony and uniformity of the simple terrace row of dwellings having a materially harmful impact on the character and appearance of the area. In addition, it would result in a materially harmful effect on the living conditions of the neighbouring dwellings in relation to outlook and light.
9. The appellant contends that the proposed extension would only be of limited scale and would not be readily visible from the public realm by virtue of its distance from the road and landscaping features in the long front garden. In addition, No 4 is the central dwelling within the row of 7 dwellings and, as such, the development would not upset any appearance of symmetry, or unbalance the appearance of the terrace. With regard to its effect on outlook, the appellant contends that the extension would be of limited depth and that windows in the neighbouring dwellings are between 1.3 and 2 metres distant from the property boundaries. The appellant notes that permission was recently granted for a dropped kerb and vehicular access at No 7 and this has impacted on the uniformity of the terrace.

Character and appearance

10. Acme Terrace is located within the historic core of the village of Church Fenton. Each house is a small, narrow-fronted dwelling. Nos 3–7 have identical brick front elevations, while Nos 1 and 2 are similar but with white render. All of the properties have very long front gardens, which represent the main amenity space for the houses. To the rear is a small open area with vehicular access from a lane running to the side of No 1. Within this area there is space for some parking and a number of small outbuildings that appear to be allocated to specific dwellings in the terrace.
11. I acknowledge that the front elevations of the houses are some distance from the road and that there are a number of small trees and shrubs within most of the front gardens, such that there is limited visibility of the houses from the public realm. However, the proposed front extension at No 4 would be an uncharacteristic element at the front of the terrace, and it would be readily visible from the west across the gardens of Nos 1-3. With depth of 3.5 metres

and occupying the full width of the house, it would be a prominent feature. Moreover, whilst there would be brick piers to the southern corners of the extension, the front elevation would be entirely glazed with patio doors, and the side elevations would be of white PVC boards. Much of the western side elevation would be visible from the road and would appear discordant.

12. In the light of the above, I consider that, given its scale in respect to the context of the houses themselves, the extension would appear as a significant and somewhat incongruous feature on the front of the house. In addition, the extent of the front glazing and the use of white PVC on the side elevations would mean that the extension would not respect or complement the original building and the rest of the terrace, in terms of design and materials. With regard to the kerb crossover and access at No 7, there are no buildings involved and this does not impact on the façade of the terrace.
13. I am conscious of the severe limitations on mobility of the appellant's mother, and I note that the proposed extension would allow additional space to be created at the property. I also note from a GP's letter that she would benefit from an appropriate motability car. I have great sympathy with this situation, but I am not convinced that the extension as proposed, in terms of its scale, design and materials is the only solution. The appellant contends that his mother needs a wheelchair to get around the house and would benefit from a mobility scooter. Again, I have sympathy with this, but it is not clear, from the evidence before me, why such a scooter or motability car could not be kept at the rear and use the access lane to get to the road.
14. In conclusion on this issue, I find that, by virtue of its scale, design and materials, the proposed extension would be harmful to the character and appearance of Acme Terrace and the wider historic core of the village. I note the mobility issues of the appellant's mother, and have sympathy with them, but I do not consider that the extension as proposed is the only solution to the matter and that it does not, therefore, outweigh the harm to character and appearance. The proposed extension, on this basis, would conflict with Policies SP1 and SP19 of the CS, Policy ENV1 of the LP, and Policy CH2 of the NP.

Living conditions

15. It would appear that the Council accepts that there would be no significant or unacceptable harm to the living conditions of the occupiers of Nos 3 and 5 by way of overlooking, overshadowing or loss of light, and I concur with that view. By virtue of the depth of the extension, I consider that it would have some impact on the outlook from the front windows of the neighbouring houses but, given the length of the front gardens, this would not be significantly harmful. It would not, therefore, on this basis, conflict with Policy ENV1 of the LP.

Conclusion

16. I find that the proposal would not be significantly harmful to the living conditions of the occupiers of Nos 3 and 5 by way of outlook, but it would be significantly harmful to the character and appearance of Acme Terrace and its surroundings. I, therefore, dismiss the appeal.

J D Westbrook

INSPECTOR