



Appeal Decision

Site visit made on 28 March 2023

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th April 2023

Appeal Ref: APP/C2741/D/22/3293412

9 Holyrood Drive, Clifton, York, YO30 5WB

- 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 Keith Booth against the decision of City of York Council.
 - The application Ref 21/01628/FUL, dated 14 June 2021, was refused by notice dated 18 January 2022.
 - The development proposed is a two storey extension to side and rear with canopy porch to front.
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Decision

1. The appeal is allowed, and planning permission is granted for a two storey extension to side and rear with canopy porch to front at 9 Holyrood Drive, York, YO30 5WB in accordance with the terms of the application, Ref 21/01628/FUL, dated 14 June 2021, 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:
 - Site Plan 2382965, 18 June 2021
 - Proposed End Elevation 2420176, 8 November 2021
 - Proposed Front Elevation 2420177, 8 November 2021
 - Proposed Rear Elevation 2420178, 8 November 2021
 - Proposed First Floor Layout 2420179, 8 November 2021
 - Proposed Ground Floor Layout 2420180, 8 November 2021
 - 3) That the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. In Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording, matching that used on the Decision Notice has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. However, as both parties have used this description in their submissions, and it is a much clearer description of the development proposed, I have used it in my heading above, but have removed the narrative element.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is a detached house on a corner plot within a planned residential development. The area features a wide variety of house types, of different sizes, appearance, materials and subsequent changes. In addition, there is a wide variety in the relationship of houses to streets and houses around them, including walls close to verges and side roads, notably on corner plots.
5. The proposal has an appropriate degree of step-down and set-back to the first-floor element, giving an obviously subservient appearance to it relative to the original property. Whilst the proposal would increase the width of the property, given the size of the plot and the overall appearance, I do not find this unacceptable or uncharacteristic of the area, nor do I consider that the resulting overall scale and mass would be atypical. I am therefore satisfied that the proposal would not harm the character or appearance of the host dwelling or represent poor design, particularly in light of the cited development plan policies and the detailed guidance in the City of York Council: House Extensions and Alterations Draft Supplementary Planning Document, December 2012 (the SPD).
6. Although the appeal site is a corner plot, having regard to the existing layout and spacing of the properties on Holyrood Drive and Blenheim Court, as well as other corner plots in the area, I do not consider that the proposal would be inappropriately or unacceptably dominant. Nor do I consider that it would affect the spacing of the street, such that harm would occur to the established character and appearance of the area. I accept that the front, side and rear of the proposal would be visible, but given the degree of existing visibility from all sides and the spacing of the site from its neighbours, especially on Blenheim Court to the rear, I do not consider this to be unacceptable or otherwise harmful.
7. I note the particular guidance in the SPD around the relationship of side extensions to side boundaries and adjacent streets. However, as I saw on my site visit, the particular relationship of the appeal site and proposal to its surroundings, including other properties, the road and the verge, would not be atypical for the area and would not in my opinion have an overbearing impact on the footway or conflict with the building line of Blenheim Court.
8. For all of the above reasons, I find that the proposal would not harm the character and appearance of the area. It would therefore not conflict with Policies D1 and D11 of the City of York Local Plan Publication Draft 2018, or Policies GP1 and H7 of the City of York Draft Local Plan 2005. These policies seek, amongst other things, to ensure that proposals are appropriate, in terms of their design, character and appearance, for the established character and appearance of their surroundings. Similarly, the proposal would not conflict with guidance in the SPD, which seeks to guide the application of those development plan policies.
9. I also find that the proposal would comply with the aims of the National Planning Policy Framework (the Framework) to achieve well-designed places.

Conditions

10. The Council has suggested a number of conditions to be attached, should planning permission be granted. Having had regard to the requirements of the Framework and the Planning Practice Guidance I have imposed standard conditions concerning commencement (1), compliance with the submitted plans (2) and requiring the use of matching materials (3), in order to ensure the satisfactory appearance of the completed development.
11. Whilst I note that the Principal Environmental Protection Officer (Air Quality) has requested a condition requiring the provision of a dedicated connection within the distribution board for any potential future electric car charging point, this condition was not requested by the Council in their Questionnaire. I am also not wholly convinced such a condition would meet the tests on the basis of the evidence before me and note that the part of the Framework referred to is a plan-making section. In any event, the appellant will now, as a result of this paragraph, be aware of the Council's desire for such future-proofing.
12. I am therefore satisfied that the conditions I have imposed meet the tests in, and requirements of both the Framework and the Planning Practice Guidance.

Conclusion

13. For the reasons given above I conclude that the proposal accords with the development plan and there are no material considerations which indicate that a decision be taken other than in accordance with it. The appeal should therefore be allowed, and planning permission granted.

S Dean

INSPECTOR