



Appeal Decision

Site visit made on 4 May 2023

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 June 2023

Appeal Ref: APP/C2741/D/23/3316858

14 Heather Bank, Osbaldwick, York YO10 3QH

- 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 Ms Natalie Lewis against the decision of City of York Council.
 - The application Ref 22/01373/FUL, dated 28 June 2022, was refused by notice dated 19 January 2023.
 - The development proposed is described in the application form as loft conversion with front and rear dormers. Single storey side extension.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal site and surrounding area.

Reasons

3. The appeal site comprises a semi-detached bungalow with a hipped roof finished in a red roof tile. In the vicinity of the appeal site, Heather Bank is characterised by similar modestly sized and evenly spaced semi-detached bungalows lining either side of the street. These give way to semi-detached two storey dwellings further south.
4. Hipped roof designs are a common feature of the area and enhance the sense of space between dwellings. There are however notable examples of hipped to gable extensions locally, including to bungalows either side of Heather Bank. Dormer windows are not uncommon, though these are generally confined to the side or rear of dwellings.
5. Along the appeal site's side of Heather Bank, the front facing roofscape is largely homogenous and free from later additions. Dwellings have consistent design features to the front, including evenly spaced chimney stacks of similar height, white uPVC windows, ground level projecting bays and a largely uniform building line. The opposite side of the street is somewhat less uniform though I also did not observe any front facing dormer windows there.
6. Some side and rear facing dormers are visible from within the street scene on Heather Bank, however these have an oblique relationship to the street and limited effect on the consistency of the front facing elevations. The street's otherwise harmonious nature positively contributes to the character and appearance of the area.

7. The Council's House Extensions and Alterations Supplementary Planning Document Approved December 2012 (the SPD) indicates that, when located on bungalows with a shallow roof pitch, dormers are unacceptable on the front roof slope as to create adequate head height they will inevitably dominate the roof slope and make the building appear top heavy. It advises that in streets where there are few or no front dormer windows it is unlikely that new dormers will be allowed on the front elevation unless it can be clearly shown that they will not detract from its character.
8. The appeal proposal would include a front facing dormer window with a flat roof design finished in a "red clay rosemary tile" with anthracite grey uPVC windows. In combination with other works to the side and rear, this would introduce considerable additional bulk to the roof of the dwelling. Given its prominent location, the front facing dormer window would be a highly noticeable addition. The proposal would detract from the original roof form and features and sit at odds with the otherwise consistent roofscape along this part of the street. This would have a deleterious effect on the character and appearance of the area.
9. I recognise that the appellant has sought a compromise by amending the proposed front dormer during the application to lower its height to 300mm below the height of the ridge of the main roof. However, this does not lead me to a different conclusion on the merits of the amended proposal that is before me. Furthermore, while the proposed finishing materials may be sympathetic to the existing roof tiles, this does not overcome the harm identified by virtue of the size and position of the front dormer, and the proposals cumulative impact.
10. My attention has been drawn to existing examples of front facing dormer windows to bungalows within the wider area. However, these are limited in number, viewed in different contexts, and all are located some distance from the appeal site, and from one another. They therefore do not contribute to the street scene along Heather Bank in the same way as the appeal property and are not a prevailing characteristic of the area. This therefore does not lead me to a different conclusion on the main issue.
11. I conclude that the proposal would have a harmful effect on the character and appearance of the appeal site and surrounding area. It would be contrary to emerging Policies D1 and D11 of the City of York Local Plan – Publication Draft February 2018. These policies, among other provisions, seek to ensure such development makes a positive design contribution, avoids damage to the character and quality of an area, and responds positively to the immediate architectural context and local character. It would also be contrary to Chapter 12 of the National Planning Policy Framework 2021 in respect of its aim of achieving well designed places, and conflicts with guidance in the SPD, which advises against front dormer windows unless it can be clearly shown that they will not detract from the character of the street.

Other Matters

12. While the proposal may be compliant with other provisions of the development plan, the absence of harm or development plan conflict with respect to other relevant matters is neutral and weighs neither for nor against the proposal.
13. The application received no adverse comments from neighbours or other consultees. However, the absence of comments in support or against the

application weighs neither for nor against the proposal in this instance and does not lead me to a different conclusion on the main issue.

Conclusion

14. The proposal would conflict with the development plan, taken as a whole. There are no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal should be dismissed.

Ryan Cowley

INSPECTOR