



Appeal Decision

Site visit made on 2 October 2023

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/U2750/D/23/3325943

5 Green Lane West, Sowerby, North Yorkshire YO7 1RN

- 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 & Mrs Dresser against the decision of North Yorkshire Council.
 - The application Ref 23/00667/FUL, dated 20 March 2023, was refused by notice dated 30 June 2023.
 - The development proposed is an extension to the rear and side and replacement roof to form first-floor accommodation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. On 1 April 2023 Hambleton District Council merged with a number of other Councils to form a new Unitary Authority of North Yorkshire Council. This appeal decision however refers to the name of the Council shown on the decision notice which is the subject of the appeal, that being North Yorkshire Council. Development plans for the merged Councils remain in place for the area within the new Unitary Authority they relate to until such time as they are revoked or replaced.

Main Issue

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

Reasons

4. The appeal property is a detached bungalow. It is situated on a street of residential properties many of which have been extended or altered. The street contains properties of various styles and sizes although generally, the side of the street containing the appeal property is formed of bungalows. The two storey properties in the street are generally located on the opposite side of the street.
5. This arrangement gives the side of the street containing the appeal property a notably lower scale with bungalows of a similar height. The appeal property is one of three similarly designed bungalows with hipped roofs with short ridges. The other bungalows on the street are broadly of a similar scale and height and this gives this part of the street a harmonious and pleasant appearance in terms of its rhythm.

6. No. 13A is a prominent exception to this established arrangement, forming a gable fronted bungalow with roof level accommodation in a roof with a long ridgeline. Being markedly different, it serves to demonstrate the disruption that can be caused to the otherwise consistent scale and height on this section of the street.
7. The elements of the proposed development which involve ground floor extensions would be of an appropriate scale and design. They would be consistent with similar scale extensions to the surrounding properties, and I do not consider that these aspects of the proposed development would cause harm to the character and appearance of the area.
8. The roof alteration would increase the overall ridge height and depth of the property, which the Council outline would be increased from 1.2m in length to 7m in length. The combination of increasing the depth and height of the roof would add a considerable mass to the property which would be highly prominent in the street-scene and visible from long range views within the street. It would harmfully detract from the established scale, height and mass of dwellings on this side of the street, and would appear as an incongruous addition to the property.
9. I acknowledge that some elements of the appeal property would be unaltered and it would retain some conformity with the other properties on this section of the street. However, these aspects would not alleviate the harm that would be caused from the substantial roof alteration to any significant extent.
10. I therefore conclude that the proposed development would harm the character and appearance of the area. It would be contrary to Policy E1 of the Hambleton Local Plan (2022) which requires, amongst other things, that development respects and contributes positively to local character, identity and distinctiveness in terms of form, scale, height, visual appearance and visual relationships. For residential extensions, the Policy also requires that proposals do not cause unacceptable harm to the character or appearance of the surrounding area.
11. The proposed development would also be contrary to the guidance contained in the Domestic Extensions Supplementary Planning Document (2022) which outlines that the character of the building that is to be extended and that of the immediate and wider area should influence the design, having regard to, amongst other things, factors such as height, size and scale. It also outlines how in most cases, all elements of the design of an extension should be in keeping with the locality.

Other Matters

12. I understand the wishes of the appellant to provide additional space at their property. However, such personal circumstances seldom outweigh general planning considerations and there are no exceptions in this case.
13. I also note that Sowerby Parish Council were supportive of the application, however this does not overcome the harm that I have identified would be caused.
14. I note, as the appellant highlights, that the property is not a listed building or located within a conservation area. It is also highlighted that there were no concerns in relation to the living conditions of occupants of surrounding

properties or overdevelopment of the property. The absence of harm on these matters is however of neutral weight in the appeal.

Conclusion

15. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
16. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR