
Appeal Decision

Site visit made on 15 March 2024

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 11 April 2024

Appeal Ref: APP/C2741/D/24/3336247

22 Galtres Road, York YO31 1JR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Ms Emer Nugent against the decision of City of York Council.
 - The application Ref is 23/00687/FUL.
 - The development proposed is described as pitch of a flat roof extension (pre-existing extension) with the addition of 4 dormer windows, 2 south-east facing (rear of property) and 2 northwest facing (front of property).
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. On 20 December 2023, the Government published its revised National Planning Policy Framework ('the Framework'). The Framework represents the Government's up-to-date planning policies for England and how they should be applied. I have had regard to the Framework in reaching my decision.

Main Issue

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

Reasons

4. The appeal property is a two-storey semi-detached dwelling. The property has an existing first floor extension with flat roof above the garage to side. The property has a hipped roof over the remainder of the dwelling which matches that of the adjoining property. The property also has an existing single storey rear extension. The surrounding area comprises residential properties of various designs, including several two-storey semi-detached properties with hipped roofs.
5. The proposed extension would involve the erection of a pitched roof above the existing first floor side extension and the installation of a dormer window to the rear which would broadly span the full width of the property.
6. The existing first floor extension is flush with the front elevation of the property. As this is an existing feature it would be unreasonable to require that this element is set back from the front elevation of the property. It may be that the retention of this flush elevation would have resulting implications in terms of breaking from the continuation of the existing main roof slope, however

there is no evidence to suggest that alternatives have been considered or would be preferable or not preferable in terms of their impact on character and appearance.

7. The design, form and appearance of the proposed roof would depart from the existing roof form of the appeal property and the adjoining property insofar that the existing hipped roof would be replaced by a pitched roof forming a gable at the side. The ridge of the roof would be significantly lengthened, and the resulting roof would appear highly elongated and drawn out over the property. It would add a considerable bulk and mass to the property which would appear highly dominant and would not appear subordinate to the host property. It would also considerably unbalance the pair of semi-detached properties.
8. The proposed dormer window to the rear would span almost the full width of the property. Due to its overall size, design and siting, it would appear as a bulky and incongruous addition, dominating the rear roof slope and appearing excessive. I acknowledge that its rear siting would have limited views from public vantage points in its full respect, and this reduces the harm, however it would be seen from the side in conjunction with the enlarged gable elevation, and this would exacerbate its impact.
9. I acknowledge that a number of properties have been extended in the surrounding area and many of these examples have been presented by the appellant. I have not been provided with full details in relation to the planning background to these examples in order to give them significant weight. Either way, none of the surrounding examples are the same as the appeal proposal which I have, in any event, determined on its own individual planning merits.
10. The proposed development would therefore cause significant harm to the character and appearance of the host property and the surrounding area. It would be contrary to paragraph 135 of the Framework which requires that developments are visually attractive as a result of good architecture.
11. It would also be contrary to Policies D1 and D11 of the York Draft Local Plan (2018) which outline, amongst other things, that extensions to existing buildings will be supported where the design responds positively to its immediate architectural context and positively contributes to its context.
12. It would also be contrary to the City of York Council, House Extensions and Alterations Draft Supplementary Planning Document (SPD) (2012) which outlines, amongst other things, that it is important that the shape of the extension relates to the original house.

Other Matters

13. I acknowledge that support was received to the proposal from a nearby resident. I have considered the points raised in relation to character and appearance in my assessment above. The support to the scheme does not outweigh the harm I have identified would be caused.
14. I am not persuaded that an alternative scheme would be more complicated to construct, or that this would cause significant harm to the living conditions of occupant of surrounding properties. Neither matter would justify allowing the harm to be caused which I have identified.

15. Similarly, the requirement for less lead flashing to be used in the appeal scheme, as opposed to an alternative, does not outweigh the harm that would be caused.
16. The appellant has referred to an apparent reluctance by the Council to offer guidance on what might constitute an acceptable extension at the appeal property. It is not clear whether this is due to an impasse in discussions or a lack of response from the Council. Either way, it is not a reason to allow the appeal.

Conclusion

17. 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