

Appeal Decision

Site visit made on 15 July 2024

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 August 2024

Appeal Ref: APP/C2741/D/24/3344171
79 Bishopthorpe Road, York YO23 1NX

- 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 Mr Jeremy Preston against the decision of the City of York Council.
 - The application reference is 23/02189/FUL.
 - The development proposed is a rear single-storey extension with associated pergola together with roof-mounted PV array.
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Decision

1. The appeal is allowed and planning permission is granted for a rear single-storey extension with associated pergola together with roof-mounted PV array at 79 Bishopthorpe Road, York in accordance with the terms of the application, reference 23/02189/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall be begun before the expiration of three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 0208_004g pages 2 to 16.
 - 3) No development above ground level, shall take place until details of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Main Issue

2. The main issue is the effect on the character and appearance of the property and the wider area.

Reasons

3. The proposal would widen the kitchen and dining room to the rear of this property and add a pergola. Revised plans show a reduced height of development on the boundary. No amenity concerns have been raised by the council or neighbouring residents.
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4. The proposal would infill the passage between the kitchen and the boundary. The kitchen lies within the rear two storey outshot. Externally, the upper form of this outshot would remain unaltered. The appellant has chosen detailing, including deep eaves, vertical boarding and a low-pitched metal roof that would contrast with the materials and detailing of the house. This approach would assist in distinguishing the new elements from the original. This would not represent poor design or detract from the character of the dwelling.
5. The proposal would also result in the re-modelling and extension of the single storey rear outshot. This is currently of a simple design and matches the attached neighbouring extension. Many of the properties in this street have similar combined rear additions although there are also numerous others that have been modified and extended. The symmetry of these particular rear buildings would be lost but the altered and extended roof, together with the large picture windows and contrasting materials, would be contemporary but also complementary.
6. Being to the rear of these properties, the works would not be visible from within the public domain. The development would provide improved accommodation and make better use of the space available. Whilst the level of unity would be reduced and the historic footprint altered, the new detailing would not represent poor design or result in harm to the existing character or appearance of this property or the wider area.
7. The council's Supplementary Planning Document: House Extensions and Alterations 2012 is clear that the use of contrasting materials will be considered case by case. As the works overall, would not dominate the house or clash with its appearance, it would not be at odds with guidance within paragraphs 7.1 or 7.4. It would also not conflict with the design expectations of policy D11 of the emerging Local Plan as it would respond positively to its immediate architectural context and to local character. It would accord with the design objectives of the National Planning Policy Framework 2023.
8. In conclusion, the proposal would enhance the quality of the accommodation and be of a high standard of design that would maintain the architectural interest of this property. As there are no other matters put forward that weigh significantly against the proposal, I allow the appeal.
9. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. The application form sets out a number of options with regard to the general details of the proposed materials. Specific details would therefore need to be agreed to ensure that the development would have a satisfactory appearance.

Peter Eggleton

INSPECTOR