



Appeal Decision

Site visit made on 10 February 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 04 MARCH 2025

Appeal Ref: APP/C2741/D/24/3354089

3 Windsor Drive, Wigginton, York, North Yorkshire YO32 2QG

- 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 John Walshaw against the decision of City of York Council.
 - The application Ref is 24/00943/FUL.
 - The development proposed is front dormer, front projecting bay, and relocation of driveway.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description of development set out on the application form is inaccurate. It includes reference to a single storey side extension and an additional front projecting bay, which appear to have been part of an earlier planning proposal. The description of development in the banner heading above has therefore been adjusted accordingly to remove these elements.
3. The description of development is also different from that used by the City of York Council (the Council) in their formal decision. The Council's description excluded reference to the relocation of the driveway. However, the plans show the proposed driveway to the front of the property, and it was clearly the appellant's intention for this element to be included. I therefore do not see any reason to omit it.
4. The Council submitted a Publication Draft Local Plan (the emerging LP) for examination in May 2018, which was subsequently subjected to a Main Modifications consultation in summer 2024. The emerging LP does not constitute part of the development plan. However, given the advanced stage of preparation, and the recent publication of the Inspectors' report, which finds the emerging LP sound subject to the proposed Main Modifications, I have afforded significant weight to it as a material planning consideration.
5. The Council's House Extensions and Alterations Draft Supplementary Planning Document (2012) (the SPD) retains the word 'Draft' to reflect that it had been prepared in advance of the emerging LP. However, it was consulted upon between January and March 2012, and was later approved by Council Cabinet in December 2012. I have therefore afforded it significant weight as a material planning consideration.

Main Issues

6. The main issues in this appeal are:

- the effect of the proposal on the character and appearance of the dwelling and the wider locality; and
- the relocation of the driveway to the property.

Reasons

7. Windsor Drive is a residential cul-de-sac predominantly comprising semi-detached bungalows. No 3 Windsor Drive (No 3) is located on a corner plot that also has a strong relationship with Castle Close. The bungalows on Windsor Drive and Castle Close are mostly of a dormer style with steep roof pitches and high ridgelines, the dormers of which are low in height and subservient to the roofs. The dormer style bungalows are interspersed with traditional bungalows with lower ridgelines and shallower roofs, of which No 3 is an example. Traditional windows at ground floor level are a consistent feature across all bungalows along Windsor Drive and Castle Close. There is a distinct flow of property types and designs in the area that was clearly part of a planned development.
8. No 3 was a semi-detached traditional bungalow that has benefitted from the addition of a rear dormer, which can be observed from Castle Close and Windsor Drive. The rear dormer stretches across the full width of the roof and extends to the existing ridgeline.
9. The proposed development is for the addition of a front dormer containing two windows, and the creation of a front projecting bay in the same position as the existing larger ground floor window serving the lounge. Materials are proposed to match the existing.
10. The addition of the rear dormer, which is in situ, has significantly altered the side and rear elevations of No 3 when compared to the other traditional bungalows on Windsor Drive and Castle Close. However, the existing front elevation of No 3 remains unchanged and is consistent in design with other examples in the area and its attached neighbour.
11. The proposed front dormer would extend to the ridgeline, and due to its overall size would fail to be subservient to the existing roof. Cumulatively, with the existing rear dormer, the roofline would become cluttered, top heavy, and appear out of balance, particularly when viewed in the context of the attached neighbouring property, and their surroundings.
12. Furthermore, the proposed dormer windows would be at odds with the overall design of the elevation in respect to the siting, scale, and arrangement of the windows at ground floor level.
13. The front projecting bay window would unbalance the front elevation of the property, particularly when viewed in the context of the attached dwelling and the prevailing window type in the area.
14. For the above reasons, I find significant harm to the character and appearance of the dwelling and the wider locality in respect of the dormer and front projecting bay

window, contrary to policy D11 of the emerging LP, and the SPD, which, amongst other matters, seek to promote high quality design, and ensure alterations to existing buildings respond positively to their immediate architectural context and local character.

Driveway Relocation

15. The proposed drop kerb arrangement and vehicle parking to the front of No 3, which are set out on the Proposed Site Plan Ref JW02/02 dated March 2024, would be consistent with that of the attached neighbouring property. Driveways are common features to the front of properties on Windsor Drive and Castle Close and are consistent with the overall character and appearance of the dwelling and the wider locality. Furthermore, there is no evidence before me to suggest that the arrangement would be harmful in highways terms.
16. I do not find conflict with policy D11 of the emerging LP, the SPD, nor the highways guidance as set out in the Framework in this respect. Nevertheless, whilst I may not find material harm on this issue, I have still found significant harm to the character and appearance of the dwelling and the wider locality, resulting from the proposed alterations to the building itself, and as such the appeal cannot be supported.

Other Matters

17. It is understood that this proposal follows an earlier scheme for a front dormer stretching across the full width of the roof to match the rear. Whilst it is acknowledged that the appellant has scaled back the proposal, I have considered the current proposal on its own planning merits and have identified significant harm accordingly.
18. The appellant has provided evidence of examples of dormers and bay windows that they consider to be comparable to the proposed development. The photograph submissions have no locational information or context attached to them and I am therefore unable to consider them as substantive evidence. Those example schemes that are identifiable are in very different locational contexts to the appeal site and are not comparable.

Conclusion

19. The proposal conflicts with the emerging development plan taken as a whole, and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons above, I conclude that the appeal should be dismissed.

L Fern

INSPECTOR