



Appeal Decision

Site visit made on 7 April 2025

by **C Mayes CMLI**

an Inspector appointed by the Secretary of State

Decision date: 20 May 2025

Appeal Ref: APP/C2741/D/24/3357295

12 Glebe Avenue, York YO25 5HJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr R Boardman against the decision of City of York Council.
 - The application Ref is 24/01623/FUL.
 - The development proposed is two storey side and rear extension following demolition of existing garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal was lodged the National Planning Policy Framework (the Framework) has been updated. I am satisfied there are no changes of any consequence for the main issues in this appeal.
3. Furthermore, since the Council determined the application the City of York Local Plan, February 2025, (the Local Plan) has been adopted. I have therefore determined the appeal based on the current applicable policies in the Local Plan insofar as they are relevant.
4. Planning permission (23/02310/FUL) has previously been granted for the extension of the appeal property to provide a similar level of accommodation. The evidence before me indicates that this permission remains extant.

Main Issues

5. The effect of the proposed development on:
 - the character and appearance of the site and the surrounding area; and
 - living conditions of occupants of the appeal site, with reference to car parking and cycle storage.

Reasons

Character and appearance

6. The appeal property, 12 Glebe Avenue, is the left-hand half of a pair of semi-detached houses. It is a two-storey, red-brick house with a flat-roofed garage to one side. The house remains largely unaltered. The front garden is principally laid to hardstanding and, like many other properties in the street, used for car parking. It has an open and uncluttered appearance, being bounded by low walls and some vegetation, and is in keeping with other properties in the street. The rear garden is only accessible through

the house. The appearance of the house and front garden is typical of the development in the surrounding area and contributes positively to its character.

7. The proposed development would replace the single-storey garage, that currently provides external storage for the property, with a two-storey extension. The Council have indicated that the principle of the proposed extension, in terms of materials, scale and form, is acceptable and I have no reason to disagree. In this respect the proposed development is consistent with the extant permission referred to above. Where the proposed development differs is in the provision of cycle and bin storage. The extant permission continues to provide external storage within the envelop of the permitted development.
8. In the proposed development external storage is to be replaced by a purpose-built timber bin store to the front of the property and a timber shed in the rear garden. Details of neither structure are included with the application.
9. The proposed timber bin store would be a permanent addition to the front of the property that would project forward from the front elevation of the house. Moreover, the use of the proposed structure as a bin store cannot be guaranteed or controlled.
10. During my visit I noted waste and recycling bins to the fronts of several houses within the area. However, their presence may be temporary and their location within each property was varied. The appellant argues that the location of the proposed timber bin store is consistent with the character of the street. However, permanent structures, including purpose-built bin stores, within the front gardens of houses in the street are not present and therefore not characteristic. As such, the proposed timber bin store would be out of keeping with the predominantly open and undeveloped character and appearance of the appeal property and surrounding area.
11. The lack of convenient cycle storage space resulting from the proposed development, that I will consider in the following section, may also result in cycles being stored to the front of the property. This, in combination with the timber bin store, would result in the front of the property having a cluttered appearance.
12. The Council argue that the proposed parking arrangements, also to be considered further in the following section, would result in a car-dominated frontage. However, parking one or more vehicles to the front of the property would be in keeping with the predominant character and appearance of the street.
13. Taking the above into account, I conclude that the proposed development would result in a harmful effect on the character and appearance of the host property and surrounding area. Hence, it would conflict with Policy D1 of the City of York Local Plan, February 2025 (the Local Plan), which seeks, among other things, to prevent harm to the character and quality of an area.

Living conditions

14. The current arrangement to the front of the appeal property allows 1 vehicle to be parked off the highway. The plans before me indicate that the proposed development would provide sufficient space to continue parking a vehicle on the property. It is my planning judgement that manoeuvring a vehicle on and off the property as illustrated on the plans would not be inconvenient for the occupant or future occupants of the property.
15. With regard to vehicle parking at the appeal property, the appellant has drawn my attention to the extant planning permission noted above. The extant permission and appeal proposal would result in comparable use and occupation of the house. No

material changes in local circumstances or planning policy since the granting of the extant permission have been brought to my attention. As such, I have no reason to question the previous decision made by the Council regarding the acceptable amount of parking provision at the appeal property. Therefore, I do not find that the proposed development would result in unacceptable off-street or on-street parking that would be harmful to the living conditions of occupants of the appeal property or neighbouring properties.

16. I note the appellant's comments regarding the location of the appeal property in relation to bus routes that provide regular access to the city centre. Moreover, local services and the city centre would be accessible by cycle and on foot. While this supports the argument that the level of car parking at the appeal property would be adequate, it raises the importance of providing adequate and convenient cycle storage at the appeal property.
17. The appeal proposal includes an outbuilding within the rear garden to provide secure cycle storage. As with the proposed timber bin store, the use of the proposed outbuilding as a cycle store cannot be guaranteed or controlled. As such, this arrangement may lead to cycles being stored elsewhere on the property. Moreover, as previously mentioned, the rear garden can only be accessed through the living spaces within the house. Therefore, the proposal does not provide convenient or adequate cycle storage that would not lead to a detrimental effect on the living conditions of occupants of the house.
18. I note the appellant's comment that the current occupants of the property would not find moving cycles through the house awkward. However, I must consider the use and living conditions of both current and future occupants of the property. As such, I consider this point to have limited weight.
19. Taking the above into account, I conclude that the development would have a detrimental effect on the living conditions of future occupants of the appeal property resulting from unacceptable access to cycle storage. Accordingly, I conclude that the proposed change of use would conflict with Policies D1 and T1 of the Local Plan. These policies, among other things, require development to provide sufficient convenient cycle storage that would not result in harm to residential amenity.

Other Matters

20. I note the comments made by the occupants of the neighbouring property, No 10. However, as the proposed extension would not project beyond the rear elevation of the neighbouring property and the garage is not a habitable room, I find no harm would result from overshadowing. With regards to encroachment onto the boundary wall and damage resulting from construction these are private matters between the parties and are not within my jurisdiction.

Conclusion

21. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above the appeal is dismissed.

C Mayes

INSPECTOR