



Appeal Decision

Site visit made on 16 December 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 5th January 2026

Appeal Ref: APP/C2741/D/25/3375427

4 Broadway, York YO10 4JW

- 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 Ismail Miah against the decision of City of York Council.
 - The application Ref is 25/01038/FUL.
 - The development was originally described as the proposal involves the construction of a two-storey side and rear extension, along with a single-storey rear extension. Removal of two existing chimneys.
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Decision

1. The appeal is dismissed.

Main Issue

2. The proposed development includes a two-storey side and rear extension, a single-storey rear extension and the removal of chimney stacks. The reason for refusal relates to the two-storey rear extension. Therefore, the main issue is the effect of the proposed two-storey rear extension on the character and appearance of the host dwelling and surrounding area.

Reasons

3. 4 Broadway is a two-storey, semi-detached dwelling located on a corner plot. The surrounding area is also primarily characterised by two-storey, semi-detached dwellings. The dwellings are generally separated by driveways which creates a regular streetscene.
4. The proposal follows an earlier application, as well as pre-application and officer advice. Nos. 2 and 4 Broadway are wider and narrower than other nearby dwellings, and the appellant highlights that the layout is not well-suited to modern living standards. No. 2 has been extended to the side and rear.
5. Although matching materials are proposed, the two-storey rear extension would be unsympathetic to both the host dwelling and surrounding area because of its design and form. The extension would detract from the appearance of the host dwelling as it would not be in keeping with the appearance, design and character of the existing dwelling or the street scene generally.
6. The host dwelling has a shallow rear amenity space, which includes a detached garage, and the extension would further reduce the size of the amenity space. The extension would therefore, when taking into account the other extensions proposed, appear cramped within the plot. This would be evident from the highway due to the dwelling being located on a corner plot. Whilst some dwellings have

been extended in the local area, extensions of the design and form proposed are uncharacteristic of the locality, particularly on more visible corner plots, such as the appeal site.

7. For these reasons, the proposed two-storey rear extension would have a harmful effect on the character and appearance of the host dwelling and surrounding area. Consequently, it would conflict with Policy D11 of the York Local Plan 2017 – 2033 (2025). This states that extensions to existing buildings will be supported where the design responds positively to its immediate architectural context and local character.
8. The proposal would also conflict with section 7.1 of the Council's House Extensions and Alterations Supplementary Planning Document (2012). This states that extensions should normally be in keeping with the appearance, scale, design and character of both the existing dwelling and the street scene generally.

Other Matters

9. The appellant sets out that there is a family need and functional necessity for the proposal. They highlight that they have a growing family, including children requiring special care. I have therefore had due regard to the Public Sector Equality Duty under s149 of the Equality Act 2010, and Article 8 of the European Convention on Human Rights as incorporated into the Human Rights Act 1998. A grant of permission for the development would have a harmful effect on the character and appearance of the host dwelling and surrounding area. I attach substantial weight to these findings against the appeal. The harm caused by the appeal development outweighs its benefits. Based on the evidence presented, I conclude that it is proportionate and necessary to dismiss the appeal.
10. The appellant also states that the scheme aligns with other development plan policies and numerous parts of the National Planning Policy Framework (the Framework). Such absence of harm and compliance with local and national planning policies does not amount to a positive factor in favour of the scheme. The other matters raised do not outweigh the harm set out above.

Conclusion

11. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR