



Appeal Decision

Site visit made on 6 January 2026

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 13 January 2026

Appeal Ref: APP/C2741/D/25/3373658

29 Eastward Avenue, York YO10 4LZ

- 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 M Iqbal against the decision of City of York Council.
 - The application Ref is 25/00928/FUL.
 - The development proposed is described as 'First floor gable extension'.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on the character and appearance of the area and on the living conditions of the occupiers of 31 Eastward Avenue.

Reasons

Character and Appearance

3. Eastward Avenue is a suburban cul-de-sac comprising of a mix of semi-detached and detached dwellings. Whilst the semi-detached dwellings are typically spaced relatively close together, the detached dwellings, concentrated to both ends of the cul-de-sac are positioned centrally in more spacious plots.
4. Where present, extensions are generally subservient with a design that is consistent with the host dwelling. Although single storey garages or extensions extending towards side boundaries are common, two storey extensions onto the boundary are rarer and not typical here. This allows for relatively regular gaps between dwellings, including at first floor level, resulting in a degree of spaciousness that contributes positively to the character and appearance of the streetscene.
5. Roofs are typically hipped, whilst dormer windows tend to be limited to the side and rear roofslopes with the exception of that at No 31, a dormer bungalow of a different architectural style to the other properties along Eastward Avenue.
6. The appeal property, No 29, is a detached, hipped roof dwelling lying within the row of detached dwellings located close to the turning head towards the end of the cul-de-sac. It has been extended to the side at two storey level on the west elevation, whilst there is a single storey extension to the east elevation. Both extensions have been carried out to reflect the design of the existing dwelling and are subservient. However, unlike neighbouring properties, the built form of No 29

fills the majority of its plot. Nevertheless, owing to the single storey nature of the extension to the east elevation, a gap above ground floor level is retained, which helps to maintain the spaciousness that contributes positively to the character and appearance of the area. That the appeal property lies towards the end of the cul-de-sac does not diminish its contribution to the streetscene in this regard.

7. The proposed extension would extend above the existing single storey extension to provide a new first floor addition. In doing so it would remove the last remaining gap in the built form in this plot, eroding the spaciousness here to the detriment of the character and appearance of the streetscene.
8. It would also introduce a dormer window to the front roofslope, a feature that is not present on the existing dwelling and that is rare within the streetscene here. As a result of the proposal, the dwelling would appear flanked and dominated by, two storey extensions of differing designs with different ridge heights and roof forms. The mix of heights and designs of extension and their prevalence would likely cause the dwelling to have a confused and somewhat ad hoc appearance that would fail to reflect the character and appearance of the original dwelling, or that of the streetscene. On this basis, the proposal would result in an unsympathetic and discordant form of development that would fail to make a positive design contribution to the area.
9. For the above reasons, the proposed development would be harmful to the character and appearance of the area. It would conflict with Policies D1 and D11 of the City of York Local Plan (2025) (the LP) which, together, in summary, and amongst other things, seek to ensure new domestic extensions are of an acceptable design and respect the scale, form and detailing of the original building. For the same reasons, the proposal would also conflict with the guidance contained within the York House Extensions and Alterations Draft Supplementary Planning Document (2012) (the SPD).

Living Conditions

10. The neighbouring property to the east, 31 Eastward Avenue, is also a detached dwelling. Owing to its position towards the back of the plot, its principal garden area, comprising of a grassed area with patio and outside seating, lies between the western gable and the boundary with the appeal property. Whilst the single storey extension at the appeal property abuts the boundary with No 31, its single storey nature ensures that it is not overbearing and that reasonable levels of outlook from the garden of No 31 are maintained. Despite the presence of the extension, the garden is likely to benefit from some direct sunlight into the evening due to the position of the two storey part of the appeal property, set back a considerable distance from the boundary.
11. The proposal would involve the construction of a new first floor extension above the existing single storey extension that currently abuts the boundary with No 31. This would result in a two storey height blank gable wall extending above and immediately adjacent to the existing boundary fence. This would appear highly imposing in views from the garden of No 31, significantly diminishing the levels of outlook here and likely adversely affecting the enjoyment of this garden by its occupants, to the detriment of their living conditions.
12. Additionally, owing to the extent of built form positioned so close to the boundary, the proposal would also likely reduce the levels of direct sunlight within the garden

of No 31 in the afternoon through to the evening. Similarly, and for the same reasons, it would likely lead to overshadowing of parts of the garden. The living conditions of the occupants of No 31 would be materially diminished accordingly.

13. For the above reasons, the proposal would adversely affect the living conditions of the occupiers of 31 Eastward Avenue. The proposal would therefore conflict with Policies D1 and D11 of the LP and the SPD, both of which seek to ensure new development preserves living conditions, including with regard to outlook, overshadowing and loss of light.

Other Matters

14. Reference is made in the appellant's submission to pre-application advice with the Council. However, my role is to assess the proposal before me and nevertheless, any pre-application advice received from the Council is not binding.

Conclusion

15. For the reasons given above, having considered the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR