



Appeal Decision

Site visit made on 18 December 2025

by N Unwin BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 February 2026

Appeal Ref: APP/C2741/W/25/3374556

350 Thanet Road, York YO24 2PL

- 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 T Parry against the decision of City of York Council.
 - The application ref is 22/02489/FUL.
 - The development proposed is: 'New 2 storey semi detached house attached to 350 Thanet Road. Creation of 1no. associated parking space'.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a two storey dwellinghouse to the side of the existing house, with associated parking at 350 Thanet Road, York YO24 2PL in accordance with the terms of the application, Ref 22/02489/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 21-116 0001 P00; 21-116 0050 P00; 21-116 1050 P04; 21-116 1100 P01; 21-116 1110 P01; and 21-116 1300 P00.
 - 3) The external surfaces of the development hereby permitted shall be constructed in the materials shown on plan No 21-116 1300 P00.
 - 4) Prior to first occupation of the development, the car and cycle parking shall be provided in accordance with the approved plans and retained thereafter.
 - 5) Prior to first occupation of the development, the sight lines and turning areas shall be provided in accordance with the approved plans and retained thereafter free of obstruction.
 - 6) No gates shall be fitted to open outwards over the adjacent public highway.
 - 7) Prior to any construction above ground level, details for the disposal of surface and foul water drainage shall be submitted to and approved in writing by the Local Planning Authority. The Development shall be carried out in accordance with the approved details.
 - 8) The dwelling hereby permitted shall achieve a reduction in carbon emissions of at least 31% compared to the target emission rate as required under Part L of the Building Regulations 2013 and a water consumption rate of 110 litres per person per day (calculated as per Part G of the Building Regulations).

Should the dwelling not achieve a reduction in carbon emissions of 75%, compared to the target emission rate as required under Part L of the Building Regulations 2013, prior to construction a statement to demonstrate that such reductions would not be feasible or viable shall be submitted to and approved in writing by the Local Planning Authority.

Preliminary Matters

2. For the purposes of my decision, I have used the description of development from the decision notice and appeal form as this is a more accurate representation of the proposal.

Main Issues

3. The effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site forms the side plot associated with 350 Thanet Road (No 350). The area is characterised by well-proportioned terraced and semi-detached dwellings of a similar architecture, set back from the highway. The groups of dwellings are modestly spaced, permitting views between these, giving the street scene an open character. The appeal site itself is located on a prominent corner plot providing a spacious relationship between the side elevation of No 350 and the dwellings adjacent to Turnmire Road, contributing to the character and appearance of the area.
5. The proposal would adjoin the side elevation of No 350 forming a two-storey dwelling, representing a continuation of the existing terrace. The proposal would utilise similar materials and architectural detailing to that of the adjoining terrace, facilitating its integration with the surrounding built environment. Its front elevation would be of a similar width to that of the other dwellings comprising the terrace, reflecting the built form when viewed from this direction.
6. The proposal would follow the existing boundary line with the adjacent dwelling along Turnmire Road resulting in a narrowing of the rear elevation and small rear garden in comparison to the surrounding properties. Nonetheless, the use of matching materials and screening of this elevation from the public realm would limit the effect on the street scene. It would not therefore result in the proposal appearing out of character with the surrounding built environment.
7. A modest gap, reflective of that between the surrounding groups of dwellings would be retained between the side elevation of the proposal and adjacent dwelling along Turnmire Road. This would preserve the existing open character of this section of the street scene and the important gap between dwellings, particularly on such a prominent corner plot.
8. For the above reasons, the proposal would not have a harmful effect on the character and appearance of the area. Accordingly, I find no conflict with the relevant provisions of policy D1 of the City of York Council Local Plan 2017-2033 (2025) (Local Plan) and the National Planning Policy Framework. When read together, these require development to not cause damage to the character and quality of an area, and be sympathetic to local character and history, including the surrounding built environment.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition specifying the approved plans as this provides certainty. I have imposed a condition relating to materials to safeguard the character and appearance of the area.
10. Conditions requiring the provision of car and cycle parking, vehicular turning areas, and sight lines, prior to first occupation are required in the interests of highway safety and sustainable transport. Additionally, a condition is required to prevent gates projecting into the highway in the interests of highway safety.
11. A condition securing details of surface and foul water drainage are required prior to any construction above ground level to prevent increased flood risk and in the interests of the principles of sustainable drainage.
12. A condition to secure carbon emissions is required in the interests of sustainable design and construction, required by Policy CC2 of the Local Plan.
13. Paragraph 55 of the Framework states that planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so. The Council present very little evidence or justification on this matter, citing the effects on the living conditions of neighbouring occupiers. Further, a moderate distance would remain between the side elevation of the proposal and the neighbouring dwelling adjacent to Turnmire Road. As such, I consider the proposal would be acceptable without a condition restricting permitted development rights. Therefore, I find the suggested condition is not necessary and consequently it has not been imposed.

Conclusion

14. For the reasons given above the appeal should be allowed.

N Unwin

INSPECTOR