

Appeal Summaries for Cases Determined 01/01/2019 to 31/03/2019

Application No: 17/00342/FUL
Appeal by: Mr And Mrs Clarke
Proposal: Creation of new access, excavation of pond and siting of 2no. static caravans (part retrospective)
Site: Whinney Hills Appleton Road Acaster Malbis York
Decision Level: COMP
Outcome: DISMIS

The appeal related to the construction of a new access, the excavation of a pond and the siting of two static caravans on an isolated site to the west of Acater Malbis. The site is within the Green Belt. The Inspector concluded that the caravans and long length of driveway would harm the openness of the Green Belt, and would constitute a form of encroachment into the countryside that would conflict with the objectives of the Green Belt. Although the pond was not inappropriate, the caravans and associated domestic paraphernalia would have an urbanising effect that would erode the rural character of the area. The new access would have an adverse visual effect through the removal of the hedge and roadside vegetation. In addition, the site was not a suitable location for housing due to its unsustainable location, and the benefits to tourism and site security do not outweigh the harm. The appeal was dismissed.

Application No: 17/01406/ADV
Appeal by: Mr Jeremy Cassel
Proposal: Display of 1no. externally illuminated forecourt sign adjacent to front elevation, 1no. internally illuminated menu board attached to front railings and 1no. externally illuminated wall mounted sign to front basement light well.
Site: Grange Hotel1 CliftonYorkYO30 6AA
Decision Level: DEL
Outcome: ALLOW

The proposals relate to one externally illuminated forecourt sign located adjacent to the front elevation of the Grange Hotel, 1 Clifton, York. The original advertisement consent application included an illuminated menu board attached to the front railings and an externally illuminated wall mounted sign to the front basement light well that were granted consent, whilst the proposed externally illuminated forecourt sign, that is the subject of the appeal, was refused consent. The main issue is the effect of the proposed advertisement on amenity, with particular regard to its location within the setting the Grange Hotel, a grade II listed building, and whether it would preserve or enhance the character and appearance of Clifton Conservation Area. The advertisement would be displayed in the small forecourt of the hotel, adjacent to steps to the hotel's basement restaurant which the proposed signage would advertise. The sign would be comprised of a free standing aluminium tray sign supported by posts, with a matt dark grey coloured powder coated finish, or white screen printed letters and external illumination by means of a trough light at the head of the sign. The Inspector considered that although the sign would be quite large, taking into account the scale of the hotel's facade and the horizontal slim line form of the sign, it would not be a dominant feature within the forecourt of the building. Furthermore, its contemporary materials, appearance and finish would sit comfortably behind the frontage iron railings and the low level external lighting would be discreet. The Inspector concluded that the sign would not appear incongruous within the forecourt of the historic building, would not have a harmful effect on its setting or the wider visual qualities or character of the street scene and would preserve the character and appearance of the conservation area. For these reasons, the appeal was allowed.

Application No: 17/02156/FUL
Appeal by: Debbie Terry
Proposal: Change of use from solicitors (Use Class A2) to 1 no. townhouse and 5no. flats including two storey rear extension and internal alterations
Site: Richardson And Co Ltd1 Peckitt StreetYorkYO1 9SF
Decision Level: DEL
Outcome: ALLOW

The proposals involve a part two storey and part single storey extension on the rear elevation of No. 7 Tower Street, change of use from offices to form 1 no. Townhouse and 5no. flats including internal alterations at 6 and 7 Tower Street and 1 Peckitt Street. The inspector agreed with the Councils objection relating to the single storey extension across the whole of the rear. The Inspector notes that whilst there were some evidence of a previous extension at the site visit, it is clear that a full width extension did not form part of the original property. The proposed extension would obscure the whole of the ground floor rear elevation and would result in the loss of an original C19th century window, resulting in a loss of integrity and would harm the character and appearance of the building, diminishing its significance. The Inspector noted that whilst the harm would be less than substantial, she was not persuaded that the extension was strictly necessary and the benefits cited by the appellant were not sufficient to outweigh the harm. The two storey part of the extension was considered acceptable in terms of its impact on the listed building. However it is not clearly distinguishable from the single storey part and the Inspector was unable to issue a split decision in this respect. In respect to the change of use and internal alterations, which related to all three buildings, the Inspector considers that due to the small scale of changes, only a very small degree of harm would occur and would be less than substantial, at the lower end of the spectrum. The Inspector considered that the heritage benefits cited by the appellant were significant public benefits which sufficiently outweigh the limited harm that would be caused by those works. Appeal A (Planning) and Appeal B (Listed Building) were allowed insofar as they relate to all works with the exception of the rear extension.

Application No: 17/02157/LBC
Appeal by: Debbie Terry
Proposal: Internal and external alterations including two storey rear extension to facilitate change of use from solicitors (Class A2) to 1no. townhouse and 5no. flats at 6 and 7 Tower Street and 1 Peckitt Street
Site: Richardson And Co Ltd1 Peckitt StreetYorkYO1 9SF
Decision Level: DEL
Outcome: ALLOW

The proposals involve a part two storey and part single storey extension on the rear elevation of No. 7 Tower Street, change of use from offices to form 1no. Townhouse and 5no. flats including internal alterations at 6 and 7 Tower Street and 1 Peckitt Street. The inspector agreed with the Councils objection relating to the single storey extension across the whole of the rear. The Inspector notes that whilst there were some evidence of a previous extension at the site visit, it is clear that a full width extension did not form part of the original property. The proposed extension would obscure the whole of the ground floor rear elevation and would result in the loss of an original C19th century window, resulting in a loss of integrity and would harm the character and appearance of the building, diminishing its significance. The Inspector noted that whilst the harm would be less than substantial, she was not persuaded that the extension was strictly necessary and the benefits cited by the appellant were not sufficient to outweigh the harm. The two storey part of the extension was considered acceptable in terms of its impact on the listed building. However it is not clearly distinguishable from the single storey part and the Inspector was unable to issue a split decision in this respect. In respect to the change of use and internal alterations, which related to all three buildings, the Inspector considers that due to the small scale of changes, only a very small degree of harm would occur and would be less than substantial, at the lower end of the spectrum. The Inspector considered that the heritage benefits cited by the appellant were significant public benefits which sufficiently outweigh the limited harm that would be caused by those works. Appeal A (Planning) and Appeal B (Listed Building) were allowed insofar as they relate to all works with the exception of the rear extension.

Application No: 17/03004/FULM
Appeal by: MJ McCarthy Holdings Ltd
Proposal: Erection of self storage facility, with associated access and landscaping
Site: Proposed Self Storage Facility Water Lane York
Decision Level: COMM
Outcome: ALLOW

The proposal relates to the partial re-development of the former Grain Stores site. Outline Planning Permission had been granted for a mixed use scheme including residential and Use Class B8 (storage use) on appeal ref:11/00860/OUTM. Planning permission was sought for a self storage unit within a section of the site set aside for employment uses within the original Outline Permission. Residential development and an approved care home lay directly to the south and west with the proposed storage unit approximately 10 metres from the gardens of the neighbouring properties and in excess of 20 metres from the houses themselves. Members considered that mitigation measures insufficient to address the impact of the proposal upon the residential amenity of neighbouring properties and permission was refused. The Inspector considered that the separation distances, combined with the proposed boundary fencing, landscaping and proposed green wall would ensure that there was no undue visual intrusion. He further considered that the hours of opening and the position of the vehicle access and building entrance meant that any noise would be within reasonable parameters.

Application No: 17/03057/LBC
Appeal by: Mr & Mrs A Harle
Proposal: Single storey rear extension following demolition of existing rear offshoot extensions, new enlarged basement opening to front elevation with lowered external ground level, new ventilation opening to rear roof slope and internal alterations (resubmission)
Site: 126 The Mount York YO24 1AS
Decision Level: DEL
Outcome: ALLOW

The proposals relate to a single storey rear extension following the demolition of the existing rear offshoot plus external and internal alterations to the grade II listed building located in conservation area and within the setting of adjoining grade II listed buildings. The main issue is the effect of the proposals on the special architectural or historic interest of the listed building. One of two existing rear offshoots to the host mid terraced early Victorian house was proposed to be demolished and replaced with a larger extension that would wrap around the remaining north west rear offshoot. Other external works included lowering the ground level to the front and the insertion of an enlarged window opening to serve the front basement room. Internal works included the removal of internal partitions, the installation of boxing to conceal new pipe work, and mechanical ventilation to serve the bathrooms. In terms of the significance of the north east rear offshoot, the Inspector considered that the offshoot may have been original but has been modified significantly over time and that the alterations do not reflect the simplicity and regularity of the early Victorian architectural style. Consequently, the north west offshoot lacks coherence, its original architectural form is no longer legible and its value in enabling the house to be read is limited. The proposed replacement rear extension would be of a similar length, but would have a greater footprint and massing. Part of the rear elevation of the house and north west rear offshoot would be obscured. However, the extension would be of a simple design with contemporary finishes, would result in a more unified composition than existing and would not visually compete with the simplicity and regular proportions of the rear elevation of the host listed building. For these reasons, the Inspector concluded that the proposals would not harm the special interest of the listed building and the appeal was allowed.

Application No: 18/00051/FUL
Appeal by: Mrs L Calvert
Proposal: Erection of two storey extension with single storey link to existing outbuilding together with formation of new openings at ground floor providing play area and first floor nursery accommodation
Site: Fishergate Cp School Fishergate York YO10 4AF
Decision Level: CMV
Outcome: DISMIS

The application site relates to Fishergate School which is a Grade 2 Listed Building designed by WH Brierley for the York School Board in the last decade of the 19th Century. The School is within the Central Historic Core Conservation Area. The planning application related to a large outbuilding situated within the playground of the Fishergate school and adjacent to Escrick Street. The building is used independently of the main Fishergate School building, for a playgroup and as an out of school club. Planning permission was sought for a two and single storey side extension to this building. Permission was refused on the grounds that the design, form and mass of the proposed development would fail to adopt the architectural detail of the host building, and the design of the double ridge with intervening flat roof would be uncomfortable and did not reflect the elegant roof forms of the school. The Inspector agreed and stated the proposed design would be neither truly contemporary nor historically accurate in its approach and would not reflect the quality of detail, contemporary planning and technical innovation of the original buildings. The Inspector concluded the development would cause harm to the significance of the listed appeal building and the setting of the listed school building.

Application No: 18/00052/LBC
Appeal by: Mrs L Calvert
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Application No: 18/00442/FUL
Appeal by: Mr Edward Appleton
Proposal: Erection of 1 no. dwelling and double garage
Site: 11 The Avenue Haxby York YO32 3EH
Decision Level: DEL
Outcome: DISMIS

The application was for the erection, within a residential back garden, of a 2 storey, 5 bedroom house, double garage and extension to a private drive. The site is part-way along a fairly uniform, suburban street of detached and semi-detached houses. The main issues were the impact on the character and appearance of the area and on the amenity of adjacent residents. The inspector did not consider that overlooking, overshadowing or noise and disturbance would be so unreasonable as to warrant dismissing the appeal. However, he found that the size of the dwelling was inappropriate in its context for the reasons given above and would be most acutely felt by its immediate neighbours for whom it would be inappropriately imposing and overbearing, to the detriment of their living conditions. The inspector concluded that the application would conflict with design advice in the NPPF, 2005 local plan and the emerging plan, without giving any explicit or obvious priority to any of them.

Application No: 18/00513/FUL
Appeal by: Mr And Mrs West
Proposal: Single storey rear extension to link house to existing detached garage and pitched roof over existing flat roof garage.
Site: 12 Greystone Court Haxby York YO32 3FS
Decision Level: DEL
Outcome: DISMIS

The application site relates to a detached two storey dwelling located on the junction of Greystone Court and Ashwood Glade. This dwelling has been extended over two storeys to the side elevation and incorporates full width pitched roof single storey extension of modest proportions. There is a detached garage situated within the rear garden with access from Ashwood Glade. Planning permission was sought for an additional single storey rear extension to project approx 9 metres in length to link to the existing garage. The Council refused the application on the grounds that the enlargement would present a significant sized structure which would constitute a bulky, visually assertive addition to the property which would harm views across the rear elevations and gardens of these houses which are largely undeveloped and open, harming the spatial qualities, layout and character of the area. The Inspector agreed with the Council and concluded that the proposal would be harmful to the character and appearance of the area.

Application No: 18/00751/FUL
Appeal by: Mrs Karen Hales
Proposal: Variation of condition 2 (approved plans) of permitted application 17/02431/FUL to remove rear boundary wall
Site: 21A Park Street York YO24 1BQ
Decision Level: DEL
Outcome: DISMIS

The host property is a modern four storey semi-detached town house constructed around 1997. Proposals relate to the rebuilding of a rear boundary wall that was demolished to allow the construction of a rear extension to the property. The applicant argued that it was pointless to rebuild the wall and wanted to have the rear yard leading out onto the communal gravel parking area to the rear of the site. This would have unbalanced the pair of townhouses and could have led to an encroachment into the rear communal area. The inspector concluded that the wall was necessary to delineate the rear boundary and prevent encroachment.

Application No: 18/00756/FUL
Appeal by: Stonegate Pub Company
Proposal: Erection of a freestanding pergola structure and lean-to canopy structure, together with the installation of an externally mounted television and the relocation of an existing bin store gate within the pub yard/garden area
Site: Keystones4 MonkgateYorkYO31 7PE
Decision Level: DEL
Outcome: DISMIS

The proposals relate to a freestanding pergola structure and lean to canopy structure, the installation of an externally mounted television and the relocation of an existing bin store gate within the pub yard/garden area to the rear of Keystones public house, 4 Monkgate. The main issue is the effect of the proposals on the setting of the host grade II listed building, the setting of nearby listed buildings and the City Walls, a scheduled ancient monument, and the character and appearance of York Central Historic Core Conservation Area. In the former stable yard to the rear, there are several outbuildings which have retained their original form and character and contribute to the evidential and historic value of the site. The proposed pergola would be located to the rear of the public house, with the lean to canopy extension across most of the main elevation of the outbuilding, partially obscuring an original opening. The combined length of the structure would be in excess of 13 metres, being longer and disproportionate to the outbuilding. Two pool tables would be located under the pergola with heaters and festoon lighting mounted on the underside. A television would be mounted on the rear wall of the public house. The Inspector considered that the television and lighting would introduce uncompromisingly modern features into this historic yard and their illumination would emphasise the presence of the new structure. By reason of its size, position and detail the proposals would harm the significance of the host listed building. In elevated views from the City walls, the proposals would appear unduly disproportionate, would detract from the unspoilt form of the original buildings and character of the yard, the setting of the City Walls and Ice House adjacent and would significantly harm the character and appearance of the conservation area. The Inspector concluded that the proposals would be contrary to the Framework as a whole. Both appeals were dismissed.

Application No: 18/00757/LBC
Appeal by: Stonegate Pub Company
Proposal: External works including erection of a freestanding pergola structure and lean-to canopy structure, together with the installation of an externally mounted television and the relocation of an existing bin store gate within the pub yard/garden area
Site: Keystones4 MonkgateYorkYO31 7PE
Decision Level: DEL
Outcome: DISMIS

The proposals relate to a freestanding pergola structure and lean to canopy structure, the installation of an externally mounted television and the relocation of an existing bin store gate within the pub yard/garden area to the rear of Keystones public house, 4 Monkgate. The main issue is the effect of the proposals on the setting of the host grade II listed building, the setting of nearby listed buildings and the City Walls, a scheduled ancient monument, and the character and appearance of York Central Historic Core Conservation Area. In the former stable yard to the rear, there are several outbuildings which have retained their original form and character and contribute to the evidential and historic value of the site. The proposed pergola would be located to the rear of the public house, with the lean to canopy extension across most of the main elevation of the outbuilding, partially obscuring an original opening. The combined length of the structure would be in excess of 13 metres, being longer and disproportionate to the outbuilding. Two pool tables would be located under the pergola with heaters and festoon lighting mounted on the underside. A television would be mounted on the rear wall of the public house. The Inspector considered that the television and lighting would introduce uncompromisingly modern features into this historic yard and their illumination would emphasise the presence of the new structure. By reason of its size, position and detail the proposals would harm the significance of the host listed building. In elevated views from the City walls, the proposals would appear unduly disproportionate, would detract from the unspoilt form of the original buildings and character of the yard, the setting of the City Walls and Ice House adjacent and would significantly harm the character and appearance of the conservation area. The Inspector concluded that the proposals would be contrary to the Framework as a whole. Both appeals were dismissed.

Application No: 18/00764/FUL
Appeal by: Mr Chris Burton
Proposal: Erection of 1 no. dwelling following demolition of existing warehouse
Site: Carpet And Bed Centre Warehouse Acaster Lane Bishopthorpe York YO23 2SA
Decision Level: DEL
Outcome: DISMIS

The proposal relates to the re-development of the partially derelict warehouse development adjacent to the cycle track at Acaster Lane Bishopthorpe. The proposal envisaged the clearance of the existing site with the erection of a three bedroom dormer bungalow on the site. The site lies both within the York Green Belt and at the boundary of Flood Zones 2 and 3b) (the functional flood plain of the River Ouse). It was felt that the nature and extent of the proposal was not inappropriate within the Green Belt. The key issue was the extent of development within Flood Zone 3b) bearing in mind the highly vulnerable nature of the use. Previous proposals to re-develop the site were refused on flood risk grounds. The determining Inspector examined the proposal in strict accordance with the requirements of paragraphs 155-163 of the NPPF and the requirement to undertake a sequential assessment to establish that more suitable sites outside of areas of higher flood risk are not available. The Inspector felt that no evidence had been forthcoming that such an assessment had taken place and dismissed the appeal.

Application No: 18/00865/FUL
Appeal by: Mrs Suzy Shaw
Proposal: Erection of 1 no. dwelling following demolition of existing two storey extension to side of existing dwelling
Site: 23 Holly Bank Road York YO24 4DS
Decision Level: DEL
Outcome: ALLOW

The application property is a four bedroom end of terraced house. Two of the bedrooms are located in a flat roofed two storey extension attached to the side. It is located in a mid-density inner suburban residential area. The applicant proposed to demolish the extension and erect a significantly wider two storey pitched roof side extension. The extension would be a separate three bedroom dwelling. Although there was not an objection to the principle of creating a new dwelling it was considered that the width of the home was such that it would appear cramped beside the narrow entrance to the adjacent cul-de-sac and leave little space for vegetation that is a feature of the area. The development would also see most of the front garden hard surfaced. In respect to car parking it was considered that the combined two off-street car parking spaces to serve the existing and proposed home were inadequate taking account of the high pressure on on-street parking in the surrounding area. The Inspector allowed the appeal. In respect to the impact on the streetscene he made reference to the benefit of removing the flat roof extension and felt the proposal did reflect the local character. He considered that parking provision was appropriate taking account of the proposed cycle parking and because the site was within walking distance of the city centre and on bus routes.

Application No: 18/01021/FUL
Appeal by: Mrs Race
Proposal: Erection of dwelling following the demolition of existing dwelling, garage and outbuildings.
Site: Haggwood Farm Broad
HighwayWheldrakeYorkYO19 6BE
Decision Level: DEL
Outcome: DISMIS

The house to be replaced is a detached bungalow in a remote location in the Green Belt. The replacement house would have a similarly sized footprint but a 24% increase in above ground volume, a 40% increase in above-ground floor space PLUS a substantial basement with swimming pool. The main issue for the inspector was whether the house was materially larger than the house to be demolished, in which case it would be inappropriate development. He said the exercise is primarily an objective one and that the physical dimension of most relevance will depend on the circumstances of the particular case. It could be floorspace, footprint, volume, height, etc. He said the basement would be an integral part of the dwelling and should be included in the calculations. This would add considerably to the size of the new building, which would be materially larger than the existing building. Whilst permitted development rights would enable the existing building to be significantly enlarged the courts have established that they are not relevant for determining whether the building would be materially larger, as the test in the NPPF is that the new building is not materially larger than the one it replaces. The inspector said that the 25% increase in the House Extensions SPD was more relevant to the assessment of whether an extension would amount to a disproportionate addition, which is a different test to whether a replacement building would be materially larger. The increased massing to the upper parts of the building would give the building a more imposing scale and presence in the open landscape which would lead to a moderate loss of openness, contrary to the Green Belt purpose in the NPPF of safeguarding the countryside from encroachment. He concluded that the proposal was inappropriate development in the Green Belt for which there were no very special circumstances. He gave limited weight to the 2005 DCLP and the 2018 Draft Local Plan.

Application No: 18/01031/FUL
Appeal by: Mr Wayne Golder
Proposal: Erection of garden shed to front (retrospective).
Site: 1 Eastward Avenue York YO10 4LZ
Decision Level: DEL
Outcome: DISMIS

The application property is a detached, suburban dwelling, located on a corner plot. The appeal relates to a retrospective application for a large garden shed, sited in the front garden of the application property, adjacent to the front boundary hedge. The Inspector noted the strong, established building line and consistent set back from the highway, which contributes to a sense of uniformity within the street-scene. She considered the structure to be prominent, when viewed from various locations on Eastward Avenue and its location resulted in it being 'incongruous' within the street-scene and therefore harmed the character and appearance of Eastward Avenue. Although she gave limited weight to the relevant local plan policies (as at 26.03.2019) she did concur the proposal conflicted with Policies GP1 and D11.

Application No: 18/01035/FUL
Appeal by: Mr Paul Fotherby
Proposal: Alterations to reduce size of rear dormer.
Site: Kirk View 4 Church LaneHuntingtonYorkYO32 9RE
Decision Level: DEL
Outcome: ALLOW

This application was the third submission pertaining to a rear dormer at this detached bungalow. Planning permission had previously being refused retrospectively for a large box dormer on the rear roofslope due to its size and scale and impact on neighbour amenity through over-dominance, oppressiveness and loss of privacy. That refusal was not appealed, although the subsequently served enforcement notice to remove the dormer in-situ was. That appeal was dismissed. A second planning application for a reduced size dormer was also refused on the same grounds by the Council and was not appealed. This third application reduced the size of the dormer still further and altered the window arrangement so that the only windows facing the immediate neighbouring gardens were obscure glazed bathroom windows. The Council considered that this further reduction still did not overcome previous concerns and that due to the very close proximity of the dormer to the boundary with the nearest neighbours it would still present an overly large, dominant, looming and oppressive development that represented poor design and harmed amenity. However, the Inspector concluded that this third scheme did overcome previous objections in that it would occupy a significantly smaller proportion of the main roof space and would substantially relieve adjacent occupiers from the overbearing visual impact of the existing dormer and the larger of the two alternatives. A condition was imposed to ensure that the windows would be obscure glazed with opening limitations to avoid harmful overlooking. The appeal against the enforcement notice to remove the large dormer as built was dismissed, although the period of time to carry out the work to reduce the size of the dormer to that approved was extended from 2 months to 6 months.

Application No: 18/01125/FUL
Appeal by: Mr Steven Bennett
Proposal: Two storey rear extension linking house to existing detached garage and increase in height of existing garage building including 2no. dormer windows to front.
Site: Notre Abri Stockton Lane York YO32 9UB
Decision Level: DEL
Outcome: DISMIS

The application site relates to a modern detached dwelling with a detached garage located in a isolated position within a rural area outside any settlement limits and inside the green belt. The dwelling is a new house constructed following demolition of an earlier dwelling. The planning permission granted in 1997 was subject to a condition to remove permitted development rights. Planning permission was sought for a two storey rear extension to connect to the existing double detached garage. The proposal included two pitched roof dormer windows to the roof slope of the garage. The Council refused the application on the grounds that the enlargement would increase the size of the house by over 50% of the original house. This increase would make the extensions disproportionate to the original dwelling and harm openness of the Green Belt. The Inspector agreed the extension would be disproportionate to the dwelling and harm openness. The Inspector concluded the proposal to extend the height of the garage and connect it to the house by means of a large two storey extension would result the creation of a very large single block of development which would result in the appeal property drawing attention to itself as a prominent built feature in a largely rural and open landscape.

Application No: 18/01361/FUL
Appeal by: Mr & Mrs Smales
Proposal: First floor side and single storey side and rear extensions.
Site: 21 Vicarage Lane Naburn York YO19 4RS
Decision Level: DEL
Outcome: DISMIS

The application site relates to a is a two storey semi- detached dwelling located on Vicarage Lane within the village settlement limits of Naburn and part of the CYC Green Belt. Planning permission was sought for the construction of a first floor side and single storey side and rear extensions. The dwelling has been previously extended at two storey and single storey height on the rear elevation. The Council refused the application on the grounds that the proposed extension, when taken in conjunction with existing extensions to the property, would result in a disproportionate addition to the original dwelling, which would represent inappropriate development. In addition it was considered the additional massing would cumulatively create a significant extension to the original property which would harm the openness of the Green Belt. No very special circumstances have been identified that would outweigh this harm. The Inspector agreed the extension would be disproportionate to the dwelling and harm openness. The Inspector also noted that the first floor would erode the separation between the host dwelling and the neighbour ay 23 Vicarage Lane.

Application No: 18/01628/FUL
Appeal by: Mr And Mrs S McGerr
Proposal: Single storey rear extension (resubmission 18/00649/FUL).
Site: Avanti111 Temple Lane Copmanthorpe York YO23 3TE
Decision Level: DEL
Outcome: DISMIS

The host dwelling is a two-storey dwelling within a large plot, lying within a ribbon style development of dwellings within the green belt. This proposal was for a single storey flat roof rear extension. Existing extensions to the dwelling were already disproportionate to the original dwelling, thus the application was refused on the grounds of inappropriate development within the green belt. The inspector agreed, and attached only limited weight to the appellants argument that a fall-back permitted development extension could be implemented.

Decision Level:	Outcome:
DEL = Delegated Decision	ALLOW = Appeal Allowed
COMM = Sub-Committee Decision	DISMIS = Appeal Dismissed
COMP = Main Committee Decision	PAD = Appeal part dismissed/part allowed