

## Appendix B

### Appeals summaries between 01/10/24 and 31/12/24

Date report run: 10-Apr-2025

Case number	Appeal by	Description	Address	Outcome
24/00025/REF	A King	Change of use of 12-14 Acomb Road from commercial premises to Large House in Multiple Occupation (sui generis), dormer to rear and associated alterations to fenestration	12 Acomb RoadYorkYO24 4EW	Appeal Dismissed

#### Notes

Permission was sought for a change of use from commercial use on the ground floor and 1no. flat above to an 11 bedroom HMO. The scheme was refused on 4 grounds - loss of employment premises; impact on the streetscene by virtue of a rear dormer and proposed bin storage; harm to the amenity of neighbouring residents and future occupants; and insufficient car and cycle parking. The appellant put forward revisions A and B which although submitted to officers at application stage, did not form part of the formal officer assessment. The Inspector determined the appeal on all three schemes put forward by the appellant. In determining the appeal, the Inspector agreed with the LPA decision with regard to a lack of justification for the loss of employment use, that the intensification of the use would give rise to unacceptable harm to neighbour amenity by virtue of additional comings and goings. In terms of character and appearance, the Inspector considered that the proposed dormer would appear harmful and would reinforce the intense nature of the proposed use. It was also noted that whilst Revisions A and B refined the scale and design of the dormer, the presence of any form of roof extension would appear incongruous in this section of the terrace. Similarly external bin storage along the frontage of the building would be harmful to appearance. The proposed internal store accessed from the front of the building was deemed to be more suitable, however the garage style door would appear harmful. In assessing the lack of car parking, the Inspector concluded that the nature of the use is such that parking is not always required, and / or could be provided and that in this instance no evidence had been put forward by the Council that the area could not support additional car parking from the proposed use. The Inspector also concluded that harm to the amenity of future occupants was only in respect of limited outside amenity space only.

Case number	Appeal by	Description	Address	Outcome
24/00031/REF	Miss Carole Sells	Single storey side/rear extensions, porch to front and conversion of garage to habitable space	52 Moat Field OsballdwickYorkYO10 3PT	Appeal Dismissed

#### Notes

The application property is a semi-detached dwelling, located within a residential street in Osballdwick. The proposal was for a single-storey side and rear extension, a porch to front and the conversion of the attached garage to a habitable space. The LPA refused the application on the grounds of visual amenity, in that the side and rear extension was not set back from the front building line. More significant would be the loss of adequate storage for cycles and refuse bins and that there was no acceptable alternative provision within the front domestic curtilage. The Inspector was not able to give the emerging Local Plan full weight, though did consider it was a material consideration. He agreed that the proposal conflicted with Policies D4 and D11 of the emerging Local Plan and the Extensions and Alterations SPD (2012) He stated that the proposed bin store would be an incongruous feature within the street-scene. He also stated that proposed front porch would be an unsympathetic addition to the property, would not be in keeping and would result in the loss of the existing arched brick detail.

Case number	Appeal by	Description	Address	Outcome
24/00027/REF	Mr Joseph Fletcher	Single storey side and rear extension after removal of garage and rear projections	24 Nursery Gardens OsballdwickYorkYO10 3QL	Appeal Dismissed

#### Notes

This appeal related to an application for a side and rear wrap around extension to a bungalow in Osballdwick. The bungalow is on a corner plot with minimal garden to the rear. The proposed extension developed close to the rear boundary. The application was refused for a number of reasons; harm to character of property and streetscene as a result of its design; overlooking and loss of privacy of the rear neighbour; loss of private amenity space and loss of adequate off-street parking impacting highway safety. The inspector agreed with this assessment and all 4 reasons for refusal were upheld. The appeal was therefore dismissed.

Case number	Appeal by	Description	Address	Outcome
24/00022/REF	Mr And Mrs S Otley	Laying of internal access track to accommodate 5no. caravan pitches	York Wheatlands Caravan Site Land At Wheatlands Northfield Lane Upper Poppleton York	Appeal Allowed
<b>Notes</b> <p>The application site comprises a Caravan Club Exempted Caravan and Tent camp site accessed from Northfield Lane Upper Poppleton lying within the Green Belt. The site has had problems with surface water drainage leading to vehicles being bogged down and the operator not being able to take bookings for the 90 days allowed. The proposal sought permission for the construction of a metalled access , internal access road and five pitches. There was a process of negotiation in terms of alternatives including a netpave type material and/or a form of underdrainage. The appellant would not consider under drainage and had tried netpave before but without success. The application was therefore refused. The Inspector considered whether taking account of the heavily landscaped characteristics of the site boundary the proposal would harm the openness of the Green Belt. Taking account of those characteristics he felt that it would not and allowed the appeal.</p>				