



Appeal Decision

Site visit made on 8 December 2008

by **Graham E Snowden** BA BPhil Dip
Mgmt MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
6 January 2009

Appeal Ref: APP/C2741/A/08/2085568

41 Albion Avenue, York YO26 5QZ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr David Richardson against the decision of York City Council.
- The application Ref 08/00912/FUL, dated 3 April 2008, was refused by notice dated 4 July 2008.
- The development proposed is a rear conservatory, two storey side extension and roof conversion with dormer windows to rear.

Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is the effect of the proposed extensions on the character and appearance of the existing dwelling and the wider locality.

Reasons

3. My decision is based on drawing nos. Rich/March/01 Revision A and Rich/March/02 Revision C, which I understand to be the drawings, which the Council formally considered.
4. Albion Avenue is a street of two storey semi-detached housing in an estate of mainly similar housing. The detailed designs of the pairs of semi-detached units vary, but the constant building line and the gaps between the pairs gives the street a certain uniformity of character. The appeal property and its neighbour, together with the pair of dwellings opposite (nos. 40-42) are distinguished by the use of gabled front bays, which give some distinction to the entrance to the street.
5. Very few of the properties in the street have been extended to the side and, where this has been done (for example at nos. 65 and 79), the extensions have normally been set back from the frontage with lowered ridges. This has effectively prevented the creation of a "terracing" effect and maintained the attractive rhythm which characterises the street. There are a few exceptions to this pattern including the neighbouring property to the north (no. 43) though the side extension to the rear is set back. Perhaps more curious – and certainly less successful – is the timber clad side extension at no. 42 opposite. Despite these oddities, the general street rhythm remains largely unspoilt and all the extensions noted retain a hipped roof to the side.

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6. Whilst there may be some roof dormers on the rear roof slopes, none were noted in the immediate vicinity of the appeal property. The proposed arrangement at the rear would extend the full width of the existing rear elevation and I note that this would be contrary to guidance in the Council's Supplementary Planning Guidance on Extensions and Alterations to Private Dwelling Houses.
7. Against this background, the large rear roof dormers and the half hip on the side roof are uncharacteristic features of the area. Although not yet implemented, I have been given details of the permitted side extension at no. 39, the dwelling to which the appeal property is attached. A side extension at the appeal property would, I agree, help to re-balance the pair by re-creating a sense of symmetry, but the detailed design of the current proposal would not achieve this. Whilst I appreciate the additional gabled bay at the front is an attempt to echo the existing character of the frontage, the two-light window is at odds with the original and the additional bay would unbalance the overall composition of the pair. Coupled with the half hip at the side, the resultant appearance would be somewhat clumsy and would represent an incongruous addition to the street scene.
8. I, therefore, conclude on the main issue that the proposed extension would have a detrimental effect on the character and appearance of the existing dwelling and the wider locality. This would be contrary to Policies GP1 and H7 in the City of York Development Control Local Plan (Local Plan), which, though not adopted, is a significant material consideration at this appeal.
9. I accept that the proposal would not result in any detrimental effect on the living conditions of neighbours. I also have considerable sympathy with the personal family circumstances, which have occasioned the need for the additional accommodation now proposed. Nevertheless, I do not consider that this latter provides sufficient justification for accepting the level of visual harm that would result, particularly as the proposal would continue to exist long after such circumstances cease.
10. Therefore, for the reasons set out above, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

G E Snowdon

INSPECTOR