



Appeal Decision

Site Visit made on 25 May 2021

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2021

Appeal Ref: APP/N2739/W/21/3269813

3 Halfway Houses, Briar Lane, Newland, Selby YO8 8PR

- 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 and Mrs Louisa Williams against the decision of Selby District Council.
 - The application Ref 2020/0132/FUL, dated 7 February 2020, was refused by notice dated 1 September 2020.
 - The development is described as 'Retrospective application for domestic outbuilding (resubmission of 2019/0909/FUL).'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

3. The appeal site lies within a long rectangular parcel of predominantly woodland located adjacent to the roadside in a rural setting. 3 Halfway Houses is located at the eastern end of a terrace of three dwellings to the south of the appeal site. The land forms part of a wooded approach from a bend in the road to the north towards a small enclave of dwellings from the south, that extends to both sides of the road and includes No 3. Whilst I saw evidence of maintenance of this land on my site visit, the land is otherwise essentially natural in appearance.
4. The woodland around the appeal site is dense in places and its proximity to the road edge alongside the hedgerow on the opposite side of the road gives an enclosed feel to this area. This is heightened due to the curvature of the road and the trees limiting views of the terrace to the south so that the land feels distinctly separate from that group of dwellings. In contrast, travelling south beyond the terrace, the area is much more open with large gardens located to either side of the road.
5. The appeal building is located in a small clearing, close to the roadside. As a result it is readily apparent when passing. The building is constructed of timber with a felt roof. It is reasonably large and has a rather squat roof form and wide gable, that faces towards the road. This gives the building a bulky appearance that adds to its prominence in views from the road. I saw decorative external lighting fixed to one elevation and, apart from the elevation facing the road, all elevations have windows. As such the building has the

appearance of a large summerhouse or similar ancillary garden building, exuding an overwhelmingly domestic character.

6. The bulky and squat roof form of the building alongside its overtly domestic character contribute to a discordant appearance which is at odds within this otherwise enclosed and natural woodland setting. Due to the clear separation from the terrace of dwellings, this domestic style building appears incongruous, in stark contrast with the prevailing rural character of the area. Whilst the building is screened in longer distance views, it is nonetheless easily visible at close quarters travelling past the site on the road, and, owing to its discordant appearance, is prominent in those views and significantly harmful as a result. Furthermore, I note that my site visit took place when the deciduous trees were in leaf. The building's prominence would therefore be likely to increase further in the winter months.
7. I have had regard to the appellant's need for the building to store machinery and maintain the land, however, there is no compelling evidence before me that this need is reliant on this particular design of building or its precise location.
8. For the above reasons I conclude that the outbuilding has a harmful effect on the character and appearance of the surrounding area and therefore conflicts with Local Plan¹ Policy ENV1 and Policy SP2 (c) of the Core Strategy² which seek to provide high standards of design, and preserve character and appearance with particular regard to the countryside.
9. The Council refer to Policy H15 of the Local Plan in their reasons for refusal, which relates to the extension of residential curtilages in the countryside. Whilst the development in this case has the appearance of a building of a domestic type, the appeal scheme does not include any change of use of land. I do not therefore find that this policy is of direct relevance to the development.

Conclusion

10. For the reasons given, 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

¹ Selby Local Plan (2005)

² Selby Core Strategy (2013)