



Appeal Decision

Site visit made on 18 May 2022

by C Coyne BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13/06/2022

Appeal Ref: APP/N2739/D/22/3291817

7 Garth Close, Wistow, Selby, North Yorkshire YO8 3XF

- 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 Ms Jane Foster against the decision of Selby District Council.
 - The application Ref 2021/0538/HPA, dated 25 May 2021, was refused by notice dated 9 November 2021.
 - The development proposed is described on the application form as 'A caravan has been sited in the garden of the above address to accommodate my growing family due to lack of living space in the family home and therefore I wish to apply for the caravan to remain on the land'.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. When on my site visit, I observed that the proposed caravan was already in situ. I also note that the application has been submitted retrospectively. Notwithstanding the caravan being in place, I have considered the appeal based on the plans originally submitted to and considered by the Council, which form the basis of the scheme that is before me.

Main Issue

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

Reasons

4. The proposed caravan is situated within the back garden of no. 7 Garth Close, a two-storey semi-detached dwelling. From Garth Close the caravan is only partially visible and is set quite far back from the front of the host property and street meaning that its visual impact is limited when viewed from this direction. However, when viewed from Jubilee Road to the rear the proposal is more clearly visible, when viewed from certain vantage points there given its more prominent location within the street scene. Its roof and the upper portion of its rear and side elevations are visible above the rear boundary treatment of the appeal site which comprises a conifer hedge. Its rear elevation is also more fully visible when viewed over the lower close boarded timber fence which comprises the side boundary of the site. The caravan's cream colour also contrasts starkly with the external material finishes of the dwellings and garages nearby which for the most part have red-brick façades. Consequently, and in the context of the above I consider that

the proposal represents a discordant addition to the street scene on Jubilee Road thereby having a significant adverse visual impact.

5. I note that the appellant has stated that the proposal could be screened from view by higher hedging, foliage, and additional trellis fencing on the site boundary. However, while this could potentially be done, I have no details of such proposed boundary treatments before me so I cannot be certain that they would provide sufficient screening or that the imposition of a suitably worded condition would ensure sufficient screening of the proposal.
6. I therefore conclude that the proposed development materially harms the character and appearance of the area. Accordingly, it fails to meet the relevant requirements of saved policy ENV1 of the adopted Selby District Local Plan and policy SP19 of the adopted Selby District Core Strategy.

Other Matters

7. In support of the proposal the appellant has stated that there are static caravans located in the back gardens of other properties in nearby villages and on the outskirts of Wistow village. However, I have no substantive evidence before me to show that to be the case. I also do not have all the details of these proposals before me so I cannot be certain that the circumstances applicable to them are the same as those presented in this case, which I have determined on its own merits. In any event, the existence of other similar proposals in the locality does not outweigh my findings in respect of the character and appearance of the area.
8. The appellant has stated that the proposed caravan is not a permanent structure and that it is only required for a two-to-three-year period to accommodate a family member until the living space in the host property, no. 7, is sufficiently extended which is currently not possible due to lack of financial affordability. However, I have no substantial evidence before me to demonstrate that this is the case. Furthermore, even if I imposed a suitably worded condition to ensure that the proposal was time-limited this would not overcome the substantial visual harm that it would cause in the meantime.
9. The appellant has also cited personal circumstances in support of the appeal scheme. However, whilst I have given the appellant's personal circumstances careful consideration, I am mindful of the advice contained in Planning Practice Guidance¹ that in general planning is concerned with land use in the public interest. I therefore find that this factor is not sufficient to outweigh the harm that would be caused contrary to the development plan.
10. I also note that several letters of support from interested parties were submitted when the original application was determined by the Council. However, objections from other interested parties were also submitted. As a result, I consider the fact that some residents support the proposal is not of sufficient weight to warrant approval of the appeal scheme.

Conclusion

11. For the reasons given above, I conclude that the development would not accord with the development plan for the area taken as a whole and there are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, the appeal should be dismissed.

C Coyne INSPECTOR

¹ Paragraph: 008 Reference ID: 21b-008-20140306