



Appeal Decision

Site visit made on 15 November 2023

by David English BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 January 2024

Appeal Ref: APP/U2750/D/23/3330642

The Birches, Main Street, Sessay YO7 3BE

- 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 A Gulliver against the decision of North Yorkshire Council.
 - The application Ref ZB23/01071/FUL, dated 17 May 2023, was refused by notice dated 12 July 2023.
 - The development proposed is a detached double garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Government published a revised version of the National Planning Policy Framework (the Framework) in December 2023. Whilst this made certain revisions to aspects of national planning policy, the provisions in respect of the main issue in this case are largely unchanged. I am therefore satisfied that there is no requirement to seek further submissions on the revised Framework from the parties, and that no party would be disadvantaged by such a course of action.

Main Issue

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

Reasons

4. The appeal property is a modern detached bungalow with rooms in the roof. The dwelling, in common with the neighbouring bungalows in this section of Main Street, is set back around two car lengths from the highway boundary. This arrangement creates a generally consistent building line to the fronts of the dwellings. Notwithstanding some variation in the distance dwellings are set back from the highway throughout the village, the majority of dwellings facing Main Street in this linear village demonstrate strong and distinctive frontage building lines. While architectural styles and details vary between dwellings, this arrangement lends a pleasant regularity and openness to the overall character and appearance of the village.
5. The proposed garage would be a substantial and prominent solid structure in the front garden. Such structures are not a common feature of the generally open and undeveloped front gardens along Main Street. The proposed development would therefore create a large and incongruous addition which would be at odds with the characteristic pattern of development in the street

scene. The existing trees in the front garden of the property that would be retained, and the boundary hedge, would only provide partial screening at certain angles and do not make the proposed development acceptable.

6. The appellant has drawn my attention to two examples¹ of development which they suggest project beyond established building lines. While I have not been provided with full details of those developments, I saw during my site visit that they were generally significantly different to the appeal proposal in respect of their relationship with the main road through the village and their relationship with properties adjacent to them.
7. Both examples are on the opposite side of Main Street and in locations where front gardens are generally shorter than those at and alongside the appeal site. The front of the garage at Jaspers Cottage appeared to be generally aligned with the building frontage line in that section of Main Street. The dwelling at Hambleton View appears to have been positioned to visually follow the fronts of adjacent dwellings on a bend in the road. I could find few similarities between the examples provided and the proposal before me. Accordingly, I find these are not directly comparable to the current appeal proposal, so these have little bearing on my decision. In any event, I have determined the appeal on its merits and the evidence before me.
8. The size and position of the proposal would harm the distinctive qualities of the main road through this linear village, and this would be unduly harmful to the character and appearance of the area. The proposal would therefore conflict with Policy E1 of the Hambleton Local Plan which expects development to integrate successfully with its surroundings, respond positively to its context, draw inspiration from the key characteristics of its surroundings, and that it respects and contributes positively to local character, identity, and distinctiveness in terms of visual appearance and visual relationships. The proposal would also conflict with Chapter 12 of the Framework in respect of achieving well-designed and beautiful places.
9. The Council's reason for refusal refers to its Domestic Extensions Supplementary Planning Document which is also referred to in the Officer Report. However, I have not been provided with that document, or any relevant extracts. I am therefore unable to make further reference to it in my consideration of the appeal.

Other Matters

10. The appellant expresses concern about the Council's failure to engage in discussions about the proposal, notwithstanding its statement in the decision notice indicating that discussions had been held with the appellant. However, I must determine the appeal on the basis of the scheme on which the Council issued its decision. The extent of the Council's engagement in discussions with the appellant is not a matter that has a bearing on my decision.
11. Whilst I acknowledge the benefits of providing off-street parking having regard to the characteristics of the main road and the traffic passing through the village, additional off-street parking could be achieved within the appeal site without the need for the proposed garage. I also note the appellants desire to provide secure parking and storage in the proposed garage. However, I have

¹ Jaspers Cottage and Hambleton View

seen no substantive evidence of there being local security risks to property or vehicles. Accordingly, I afford only limited weight to these benefits, neither of which would outweigh the harm that would arise to the character and appearance of the area.

12. Conditional support for the proposal has been provided in a representation from a neighbouring resident. However, this support does not weigh in favour of the proposal which would be harmful for the reasons I have set out in my decision.

Conclusion

13. For the reasons given above, having had regard to the development plan as a whole, along with all other relevant material considerations, I conclude that the appeal should be dismissed.

David English

INSPECTOR