



Appeal Decision

Site visit made on 7 March 2024

by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th April 2024

Appeal Ref: APP/U2750/D/23/3334544

101 Burnside Crescent, Skipton BD23 2BT

- 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 V Cruzinho against the decision of North Yorkshire Council
 - The application Ref: 2022/24666/HH dated 1 September 2022, was refused by notice dated 13 September 2023.
 - The development proposed is described as a detached single storey timber bin store.
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Decision

1. The appeal is allowed and planning permission is granted for a detached single storey timber bin store at 101 Burnside Crescent, Skipton BD23 2BT in accordance with the terms of the application, Ref: 2022/24666/HH dated 1 September 2022, and the plans submitted with it.

Procedural Matter

2. At the time of my site visit, the timber bin store was in situ. I also note that the application has been submitted retrospectively, I have dealt with the appeal on this basis.
3. Since the submission of the appeal the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) as amended (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

Main Issues

4. The main issues in this appeal are the effect of the proposed development on (i) the character and appearance of the area; and (ii) the living conditions of the occupiers of neighbouring properties.

Reasons

Character and Appearance

5. The appeal property is mid-terrace within a predominantly residential area. The timber shed is located to the front of the appeal site, elevated from the road via a tiered hardstanding area and set down from the floor area of the existing property, which is accessed via steps from the tiered level.
6. Whilst sheds similar to the development before me are usually features in rear gardens, I observed during my site visit that there are structures visible in the

streetscene including garages, outbuildings and a greenhouse. Vehicles including caravans are parked within the front garden/yard areas of properties within the immediate area and refuse storage is not uncommon to the front of properties.

7. Whilst the development is located at an elevated position to the adjacent road, the timber shed is relatively small scale. This combined with the urban streetscene, I find that the proposed development would not harm the character and appearance of the area. There is no conflict with policies in the Craven Local Plan 2012 to 2032 (2019) (the Local Plan), in particular Policy ENV3; and the Framework which seeks to ensure development are of a good design, responding to local context and respecting existing and surrounding properties.

Living Conditions

8. The timber bin store is located to the front of the appeal site. The shed is at a lower level to the floor level of the host and adjacent properties due to the tiered levels at the front of the site. This along with scale of the shed and its central location providing a degree of separation between the development and the shared boundaries with neighbouring properties ensure detrimental loss of light and overshadowing to neighbouring properties does not occur.
9. I conclude that the proposed development would not harm the living conditions of the occupiers of neighbouring properties. There is no conflict with the policies in the Local Plan, in particular Policy ENV3 or the Framework which amongst other things seek to protect the amenities of occupiers of neighbouring properties.

Conclusion

10. For the above reasons I conclude that this appeal should be allowed.
11. Conditions relating to standard time limit for commencement of development, plans to be adhered to and materials to be used are not relevant or necessary as the development is complete.

C Pipe

INSPECTOR