



Appeal Decision

Site visit made on 22 January 2025

by **P Eggleton BSc(Hons) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 February 2025

Appeal Ref: APP/C2741/D/24/3354516

Pasture Farm, Main Street, Deighton, York YO19 6HD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Patrick Norville against the decision of City of York Council.
 - The application reference is 24/00717/FUL.
 - The development proposed is a single storey detached garage.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey detached garage at Pasture Farm, Main Street, Deighton, York in accordance with the terms of the application, reference 24/00717/FUL, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan PP-12998119v; Site Plan TQRQM23017142420054; and Plans and Elevations - April 2024 revision 1.

Main Issues

2. The main issues are whether the proposal would amount to inappropriate development within the Green Belt; whether there would be any other harm to the Green Belt; and whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

Reasons

3. The proposal would result in a detached garage, set back from the road, between the side facing front elevation and the side boundary. The dwelling lies within the Green Belt. The council's concern is that the proposal would represent inappropriate development in the Green Belt. Although detached, as the garage would be closely associated with the house, it is reasonable to assess it as an extension to the property.
4. Policy GB1(c) of the emerging local plan reflects the detail of the National Planning Policy Framework 2024 with regard to extensions in the Green Belt. Both advise that new development should be regarded as inappropriate unless it falls within a listed exception. The exceptions include the extension of a building provided that it does not result in disproportionate additions over and above the size of the original

- building. In this case, the original building is defined by the Framework as a building as it existed on 1 July 1948.
5. The council advise that the original dwelling comprised of two principal portions and did not include the two-storey rear addition, behind the main element of the house. The appellant suggests that the two-storey addition was added prior to 1892 and should therefore be considered as part of the original dwelling.
 6. The appellant has provided an extract from the 1892 ordnance survey map which shows three elements to the property. It is also suggested that the brickwork, construction method and detailing, support the contention that the third element predates 1948. The map extract is not definitive as to what existed in 1948. It does not reflect exactly the form of the dwelling as currently built but it shows a large footprint that includes an element to the rear. The differing brickwork and joints do suggest that the house may have been built in three stages and the brickwork detailing does suggest that the rear element was of a different date. The map is not able to indicate whether the footprint shown was of two storeys.
 7. I have found nothing that conflicts with the narrative suggested by the appellant. The additional two-storey element of the house, although clearly built separately, does appear to be of a significant age and this is supported by the map extract provided. No evidence of any consent for it has been provided or reported. I accept therefore, that the only additions to the house since 1948 are the recent single storey extension and the small porch.
 8. The proposed garage would have a similar overall footprint to the recent flat roofed single storey extension. It would have lower eaves but a higher pitched roof. The main part of the house has a long footprint and is a full two storey height with a pitched roof. The third element is also two storeys but has a lower roof with the first floor mainly within it. I have not been provided with comparative volumes but when taking the scale of the original house, I am not persuaded that the existing extension and porch, together with this garage, would represent disproportionate additions over and above the size of the building that was likely to have been present in 1948.
 9. Given the above, the proposal would not represent inappropriate development in the Green Belt. Very special circumstances are not therefore required to justify it. It would not result in any other harm to the Green Belt or conflict with the policies of the Framework or the emerging local plan that are relative to the Green Belt.
 10. The council accept that the garage would be of an appropriate design and scale in relation to the main house and would not result in harm to the character or appearance of the area. I agree with this assessment. As the proposal would not represent inappropriate development and as there are no other matters that weigh against it, I allow the appeal.
 11. I have imposed conditions relating to the commencement of development and the details of the approved plans for the avoidance of doubt and in the interests of proper planning. The plans set out the details of the materials to be used so no further conditions are necessary.

Peter Eggleton

INSPECTOR