



Appeal Decision

Site visit made on 11 February 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 March 2025

Appeal Ref: APP/U2750/D/24/3357709

Seraphina Lodge, 4 Brooklands, Selby LS25 5DF

- 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 Jeffrey Moiser-Nagur against the decision of North Yorkshire Council.
 - The application Ref is ZG2024/0651/HPA.
 - The development proposed is for a single storey rear extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey rear extension at Seraphina Lodge, 4 Brooklands, Selby LS25 5DF in accordance with the terms of the application, Ref ZG2024/0651/HPA 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 drawing nos 605-02 and 605-03 revision A.
 - 3) The external materials of the extension hereby permitted shall match those used in the existing building.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons for the Recommendation

4. The appeal site is an end terrace in a row of buildings that have all been altered extensively, creating something of an enclave of clustered built form. The ground floor and garden of the dwelling are mainly screened from view due to the position of neighbouring buildings, outbuildings and the layout of the site. The property is surrounded by a garden area and open countryside beyond which combine to create a pleasant sense of rurality.
5. The proposal would introduce a relatively small rear extension to the property that would not be visible from the front of the site. Views of the countryside beyond the

property would not be materially affected by the proposal and its rural nature would be retained. I have no reason to disagree that the property would be of a size that would be substantially larger than the original dwelling however that is already the case. Nevertheless, given its small scale and position to the rear, the proposed extension would not be visually dominant and would not therefore be harmful.

6. There is no reason for me to doubt the Council's figures in regard to the size of the extension and what has gone before. However, Policy H14 of the Selby District Local Plan 2005 (LP) explains that extensions to dwellings in the countryside will be permitted provided they do not result in 'a disproportionate addition' over and above the size of the original dwelling. This reference is singular and thus does not take into account cumulative increases. If this were the case, it would refer to 'disproportionate additions'. The contextual modesty of the proposed single storey extension, on its own, would not be a disproportionate addition over and above the size of the original two storey dwelling as it stood prior to the two-storey side extension being erected sometime after 1995. In any case, and for the above reasons, any alleged disproportionality would not, for the reasons I have set out above, lead to any unacceptable harm to the character and appearance of the area or the specific qualities of the countryside.
7. The proposal would therefore comply with the aims of Policies ENV1 and H14 of the LP and Policy SP19 of the Selby District Core Strategy Local Plan 2013 which are concerned with local character amongst other things.

Conditions

8. Other than the standard time limit condition, it is necessary to ensure that the development is carried out in accordance with the approved plans for certainty and enforcement purposes. In the interests of the character and appearance of the area, a condition relating to materials to match that of the existing dwelling is also necessary.

Conclusion and Recommendation

9. For the reasons given above, the appeal scheme would comply with the development plan and there is nothing compelling to suggest otherwise. I therefore recommend that the appeal should be allowed subject to the conditions set out.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

10. I have considered all the submitted evidence and my representative's report and on that basis the appeal is allowed, subject to the stated conditions.

John Morrison

INSPECTOR