



Appeal Decision

Site visit made on 17 March 2025

by J D Westbrook BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26th March 2025

Appeal Ref: APP/U2750/D/25/3360614

49 Park Road, Barlow, Selby, North Yorkshire, YO8 8ES

- 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 Steven Allanson against the decision of North Yorkshire Council.
 - The application Ref is ZG2024/1163/HPA.
 - The development proposed is the erection of a single-storey rear family annexe extension to existing detached dwelling to create additional living accommodation.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this case is the effect of the proposed rear extension on the character and appearance of the area around Park Road.

Reasons

3. No 49 is a detached house situated on the southern side of Park Road. It is largely two-storey, though there are single-storey elements to the side and rear. There are a number of small outbuildings at the rear of the property, some in a poor state of repair. The main entrance to the house is on the western side of the dwelling where there is a long narrow driveway running alongside. There is a good-sized garden at the rear, largely overgrown, and a grassed driveway giving access to a separate, large area of land further to the rear that is in the same ownership. There are further structures within this area.
4. The proposed development would involve the demolition of part of the existing rear extension and most of the outbuildings, and the construction of a large single-storey rear extension that would contain two double bedrooms, a bathroom, a lounge, a utility room/toilet, and a large kitchen/diner/snug. There would be a porch and entrance door on the eastern side, and internal access to the main house via the existing extension. The stated intention of the appellant is to have the use of the rear extension as an annexe, allowing other family members to move in to the existing house.
5. Policy ENV1 of the Council's Core Plan 2005 (CP) indicates that In considering development proposals the Council will take account of number of factors including the effect upon the character of the area and the standard of layout, design and materials in relation to the site and its surroundings. Policy SP19 of the Council's

Core Strategy 2013 (CS) indicates that proposals for new development will be expected to have regard to the local character, identity and context of its surroundings. In addition, development should make the best, most efficient use of land without compromising local distinctiveness, character and form, and positively contribute to an area's identity in terms of scale, density and layout.

6. In this case, the proposed extension would have a footprint approximately the same size as that of the remaining existing dwelling, and would effectively double the length of the main house. In addition, it would extend to the side beyond the existing western side elevation of the main house by almost a metre, so making it clearly visible from the road. It would appear as a large prominent feature at the rear of the main house.
7. The existing dwelling is set further forward in its plot than other houses in the vicinity on this side of the road. Nevertheless, with its rear extensions, it also projects back into the plot as far as, or further than, the rear elevations of neighbouring dwellings. The proposed extension would project some 10 metres further back into the plot in a manner and on a scale uncharacteristic of the surrounding area, where houses, on the whole, have substantial rear gardens.
8. The appellant contends that the extension would provide a means for him to remain in his home and at the same time for one of his children (along with their family) to occupy the host dwelling, thus ensuring that the property remains in the family and that care is on hand as the appellant ages. I sympathise with the appellant in this matter. However, it is clear that the extension is of a scale equivalent to a sizeable two-bedroom bungalow with all necessary facilities for a number of people to enjoy fully independent living, including two toilets, a family sized kitchen/diner and, effectively, two lounge areas. On this basis, there would be no need to share any facilities with the host property.
9. The appellant also contends that the proposal would leave the property with adequate amenity space and that it would comply with permitted development requirements relating to site coverage. I acknowledge this point but the extension, as ancillary accommodation, would be out of scale with the host property in terms of its footprint and length, and this would be harmful to the character and appearance of both the host property and its immediate surroundings on Park Road. Furthermore, in the light of established case law (*including Emin v SSE & Mid Sussex DC (1989) JPL 909*) it would not, in any case, meet the tests to be applied to determine whether a building would be 'incidental to the enjoyment of the dwellinghouse', by reason of its scale and the lack of need for a structure of the size proposed containing a number of duplicated facilities.
10. In addition to the above, there would also be a porch to the eastern side which would allow for a completely separate access, rendering the structure potentially fully self-contained and independent with minimal alterations to the link with the host property. Although the extension would be connected to the host property, the removal of the existing rear extension to the main house would appear to be relatively straightforward, giving potential for the annexe to become completely separate with its own front door. Moreover, I am not convinced that a smaller extension, when considered in conjunction with the remaining space in the main dwelling, would be unable to provide adequate ancillary accommodation to the primary use of the host property.

11. Finally, the appellant contends that the extension would be built sustainably and that the adjoining land would remain in family ownership, thus maintaining its wildlife potential. However, I would expect any extension, including a smaller extension, to be built sustainably, and there can, of course, be no guarantees that the adjoining land would remain in family ownership and be managed accordingly.

Conclusion

12. In conclusion, I find that the proposal, by reason of its scale, prominence and lack of subservience to the host property, would be harmful to the character and appearance of the surrounding area along Park Road. On this basis, it would conflict with Policy ENV1 of the CP and Policy SP19 of the CS. I have noted the wishes of the appellant relating to having family on hand in his later years but, in this case, I find that the size and nature of the proposed extension would equate to that of a fully self-contained dwelling that would not be subservient to, or need to share facilities with, the main dwelling and, on this basis, it would not be merely ancillary accommodation. Accordingly, I dismiss the appeal.

J D Westbrook

INSPECTOR