



Appeal Decision

Site visit made on 8 August 2025

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

an Inspector appointed by the Secretary of State

Decision date: 27 August 2025

Appeal Ref: APP/U2750/D/25/3368731

10 High Farm Cottages, Raskelf Road, Helperby, York YO61 2PG

- 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 Andy Cuthbert against the decision of North Yorkshire Council.
 - The application Ref is ZB25/00392/FUL.
 - The development proposed is described as Two Storey Side Extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a Two Storey Side Extension at 10 High Farm Cottages, Raskelf Road, Helperby, York YO61 2PG in accordance with the terms of the application, Ref ZB25/00392/FUL and the plans submitted with it, subject to the conditions set out below:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the approved plans: Drawing No. 02 detailing Location plan, Block plan and proposed elevations and layout.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match that of the existing built form.

Procedural Matters

2. The appeal information submitted by the appellant cites that a separate application for costs would be submitted. An application for costs has not been received as such I have dealt with the appeal on the basis of the information provided, without an application for costs.

Main Issues

3. The main issues in this appeal are the effect of the development on (i) the character and appearance of the host property and area in general; and (ii) the living conditions of existing or future occupiers of the host property in terms outdoor private amenity space.

Reasons

Character and Appearance

4. The appeal site is an end terraced two-storey property with detached garage in a block to the front of the site. The appeal site is located in a terrace of three properties within a courtyard accessed via an archway from Raskelf Road within the Brafferton and Helperby Conservation Area. In accordance with the statutory duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990; I am required to have special regard to the effect of the proposed development on the character or appearance of the area.
5. Paragraph 212 of the National Planning Policy Framework (2024) states that great weight should be given to the conservation of a designated heritage asset when considering the impact of a proposal on such an asset. This is irrespective of the level of harm.
6. Neither party have provided information relating to the significance of the Conservation Area, nevertheless in my view the immediate area is defined by strong building frontages, made up primarily of two-storey dwellings in a range of complementary architectural styles and sizes. Due to the location of appeal site situation within a courtyard behind a row of properties with similar materials and simple modern design views from Raskelf Road towards the appeal site are limited. I find that the proposed development would preserve the significance of the Conservation Area.
7. There are subtle differences between the properties in terrace notwithstanding this they have a balanced appearance with the end of terraced properties (No's 8 and the appeal site) exhibiting gable façades with the middle property (No. 9) set back. The proposed development would have a slight set back at the front and have a similar eaves height to No. 9.
8. There is a detached garage block to the front of the appeal site which is viewed in the context of the terrace. The proposed development would extend the built form of the two-storey terrace to the side of the appeal site, projecting no further than the garage block due to the context this would not be incongruous to the area.
9. I find that the development does not harm the character and appearance of the host property or area in general. With regard to the main issue relating to character and appearance there is no conflict with E1 of the Hambleton Local Plan (2022) (the Local Plan) which seeks amongst other things to ensure developments are of high quality design, respecting the original property and having regard to the local character.

Living Conditions

10. Policy E2 of the Local Plan seeks to ensure that there would be adequate and convenient provision of private amenity space within developments. The Hambleton Local Development Framework, Domestic Extensions, Supplementary Planning Document (2009) (the SPD) highlights that extensions should maintain an acceptable level of private garden space to allow for sitting out, children's play, drying clothes, and storage of bicycles and bins. The SPD recommends maintaining a rear garden space of 4m x 4m.
11. Notwithstanding this, it is important to recognise that such guidance does not constitute a 'black and white' set of rules to be applied rigidly or exclusively when other material considerations indicate that an exception may be appropriate.

12. The proposed development would reduce the amount of private amenity space. The proposed development would retain a small rear garden which would wrap around the property, a slim area between the extension and western boundary would connect to an area of amenity space to the front/side. I observed during my site visit this area is separated from the more public front amenity space by a high fence, gate and is bounded by the garage.
13. The proposed development would retain private amenity space which would not be out of keeping with properties in the area. In combination the proposed development would retain an adequate level of private amenity space to accommodate the needs of the occupiers.
14. I conclude that the proposed development would not harm the living conditions of existing or future occupiers of the host property in terms outdoor private amenity space. With regard to the main issue relating to living conditions there is no conflict with Policy E2 of the Local Plan which seeks to maintain a high standard of amenity for all occupiers.

Conclusion and conditions

15. For the above reasons I conclude that this appeal should be allowed.
16. I have imposed a standard condition relating to the commencement of development and a condition specifying the relevant plans as this provides certainty. In order to safeguard the character and appearance of the area I have imposed a condition concerning materials.

Chris Pipe

INSPECTOR