



Appeal Decision

Site visit made on 19 September 2025

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 2 October 2025

Appeal Ref: APP/C2741/W/25/3367800

17 Askham Lane, York YO24 3HB

- 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 M Warrilow against the decision of City of York Council.
 - The application Ref is 24/01439/FUL.
 - The development proposed is conversion of garage to holiday accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - the effect of the development on the living conditions of neighbouring occupiers, with particular regard to noise and disturbance; and,
 - whether the proposed development would provide appropriate levels of vehicle and cycle parking.

Reasons

Living conditions

3. The appeal site comprises a substantial parcel of land accessed via a private driveway located between Vesper Drive and No.19 Askham Lane. The principal dwelling, No.17 Askham Lane, is a detached two-storey residential property. Linking to the main residence is a two-storey, three-bay garage building. Planning permission has previously been granted for the conversion of its upper floor into a two-bedroom holiday let. The current proposal seeks to convert the ground floor into an additional two-bedroom holiday let. This would result in a notable intensification of activity on the site, exceeding the level typically associated with a single-family dwelling.
4. The proposed development would introduce a transient pattern of occupancy, with guests arriving and departing at various times throughout the day. Unlike traditional family dwellings, holiday lets typically experience a high turnover of occupants and an inconsistent pattern of use. This can result in a range of behaviours that may adversely affect the living conditions of nearby permanent residents. Given the short-term nature of such accommodation, occupants are unlikely to establish meaningful ties to the local community. As a result, they may not demonstrate the same level of consideration or awareness of neighbouring residents, potentially leading to increased noise and disturbance.

5. Guests occupying the proposed holiday let would have access to the external rear area of the property, which is likely to be used for socialising. Typical sources of noise may include conversations and, on occasion, the use of portable speakers for music. This would also be exacerbated in the event that this proposed holiday let, and that which has been previously approved, were both occupied by related groups. This would typically occur late into the evening at a time where the occupants of neighbouring dwellings are likely to be settling down to relax or sleep.
6. In assessing the potential effect, consideration has been given to the layout of the appeal site and its spatial relationship with neighbouring properties. The dwellings most closely aligned with the rear of the appeal site are situated along Vesper Drive. A substantial number of mature trees and a fence line the boundary between the appeal site and Vesper Drive. This would provide some noise attenuation. However, the proximity of the external rear area to these neighbouring properties means that some level of noise and disturbance would likely be experienced.
7. The appellant has suggested that a planning condition could be imposed to restrict the hours of use of the external rear area associated with the proposed development. Whilst such a condition may in theory reduce noise outside of these times, it is important to recognise that these occupiers would be on holiday. The use of such a condition would be unreasonable to the guests of the proposed development as paying visitors. They would seek to spend time outside socialising with their fellow guests. As such, it would be challenging to limit this natural human behaviour by way of a condition which may go ignored by occupants. Further to this, the appellant notes that the Council do operate a noise patrol team. This team operates from Friday to Sunday, during the late hours. Critically, this team does not operate outside of these days when guests could be present.
8. It is also contended that the appellant would manage the holiday let as they live on the appeal site and would not want themselves to be impacted by the proposed use. As such, it is asserted that they would regulate the use and advise occupants if their behaviour falls below the standards expected. However, this may not always be the case. The appellant may move from the host property.
9. Access to the proposed development, the existing holiday let, and the host dwelling would be via a private driveway situated between Vesper Drive and No.19 Askham Lane. This arrangement would result in a level of activity and frequency of movement that differs notably from that typically associated with a single residential property, which may occur during the late evening. As the primary access point, the driveway is likely to generate noise from vehicle engines and audio systems. Due to its proximity, No.19 Askham Lane would be most directly affected by these possible disturbances.
10. Access to the appeal site requires vehicles to approach via a narrow, single-track driveway. Due to its single-track access, vehicles must travel at low speeds to safely navigate into the access point off Askham Lane, the parking area and to execute the right-hand turn at the end of the drive. Consequently, the noise generated by car engines in this context would be low, owing to the low engine revolutions which would be required during such manoeuvres.

11. It is acknowledged that audio systems, if played at high volume, may be audible for a longer duration due to the slow speed at which vehicles must travel when entering the appeal site. However, given the limited number of vehicles anticipated in connection with the proposed development and its existing uses, the likelihood of such occurrences would be generally low. Any noise generated from in-vehicle audio systems would be transient in nature and largely contained within the vehicle itself. Furthermore, there is a reasonable separation distance between the access route and No.19 Askham Lane, with the physical structure of the neighbouring property providing an additional buffer. For these reasons, the proposal would not result in an unacceptable impact on the living conditions of the occupants of No.19 Askham Lane in terms of noise and disturbance from vehicular movements.
12. Therefore, for these reasons, the proposed development and its effect upon the living conditions of the neighbouring occupants along Vesper Drive would conflict with Policies ENV2 and D1 of the York Local Plan 2025 (LP). These policies note that development must not unduly affect the amenities enjoyed by existing occupiers, with particular regard to noise.

Vehicle and cycle parking

13. Policy T1 of the LP is concerned with sustainable access, noting that safe and secure layouts for motorised vehicles, cyclists and pedestrians that minimise conflict, must be created, amongst other things. As previously noted, the appeal site would be utilised by the guests of the proposed development, the guests of the existing holiday let and the occupants of the residential dwelling. As such, the vehicles associated with each use would be required to be parked within the site whilst avoiding conflict. In converting the ground floor of the garage, three parking spaces would be lost which would have originally served the host dwelling.
14. The proposed plans indicate that two vehicle spaces would be provided to the front of the holiday let, with one to serve each separate unit. As indicated on the proposed plans, these spaces would provide an appropriate area to manoeuvre into these spaces. Once parked, adequate space would be provided to allow vehicles to pass who are entering the site from the access driveway.
15. In relation to parking provision for the host dwelling, the front of the property benefits from a substantial area of hardstanding. Observations made during my site visit confirm that multiple vehicles can be parked and manoeuvred within the site without difficulty. Accordingly, when the proposed dedicated parking spaces for the holiday lets are taken into account, the appeal site would be capable of accommodating the parking requirements of both the holiday lets and the host residential dwelling. Therefore, a safe and secure layout for motorised vehicles would be provided and would minimise their conflict.
16. The conversion of the garage area to the proposed use as a holiday let would also result in the loss of garage space for the storage of household items such as bicycles. Policy T1 of the LP notes that development proposals should provide sufficient, convenient, secure and covered bicycle storage. As a convenient, secure and covered cycle storage area would be removed in the form of the existing garage, there would therefore not be a sufficient provision of bicycle storage to be used by the host dwelling.

17. However, I am cognisant that such provision could be secured by an appropriately worded planning condition. Therefore, subject to an appropriately worded planning condition, bicycle storage to be utilised by the host dwelling could be secured prior to the conversion of the garage into a holiday let.
18. To conclude, for the reasons given above and subject to an appropriately worded planning condition, the proposed development would not conflict with Policy T1 of the LP.

Conclusion

19. For the reasons given above and in taking all material considerations into account, the appeal should be dismissed.

J Smith

INSPECTOR