
Appeal Decision

Site visit made on 2 September 2025 by E Nutman BA (Hons)

Decision by Joanna Gilbert MA (Hons) MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2025

Appeal Ref: APP/U2750/D/25/3368818

8 The Hamlet, Eggborough DN14 0UN

- 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 Simon Williams against the decision of North Yorkshire Council.
 - The application Ref is ZG2025/0346/HPA.
 - The development proposed is first floor extension over the existing garage single storey extension to side and rear.
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Decision

1. The appeal is dismissed.

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.

Preliminary Matters

3. The Council's reasons for refusal relates to the first floor extension over the existing garage and the accompanying officer report confirms that this is the main area of concern. I have therefore defined the main issues on this basis.

Main Issue

4. The main issues in this appeal are:
 - the effect of the proposed first floor extension on the character and appearance of the area;
 - the effect of the proposed first floor extension on the living conditions of the occupiers of 5 and 7 The Tabards, with particular regard to outlook and light, and on the living conditions of the occupiers of 6 The Hamlet and future occupiers of the appeal property, with particular regard to privacy.

Reasons for the Recommendation

Character and appearance

5. The surrounding area is predominantly residential and consists of a mixture of bungalows and two storey detached dwellings. The properties on The Hamlet vary in form and scale, but red brick and brown tiled roofs are consistent.

6. The appeal property at 8 The Hamlet is a generously sized dwelling which features a garage structure to the front. Neighbours to the west include 5 and 7 The Tabards, with their rear elevations and gardens facing towards the appeal site. The immediate neighbour to the east is 6 The Hamlet. Large front extensions can be seen close to the appeal site at 9 The Hamlet and 20 Kellington Court.
7. Given the variety of form and scale within the street scene and the existing presence of similar extensions within the area, the proposal would relate well to the property and its surroundings. Furthermore, the extension would reflect both the host dwelling and neighbouring properties as it has been designed to mirror the same traditional style, with matching materials and roof form. Therefore, the design of the proposed first floor extension would positively contribute to the area's identity and would not be an overly dominant addition to the host dwelling or the street scene.
8. I conclude that the proposed first floor extension would not have a harmful effect on the character and appearance of the area. It therefore accords with saved Policy ENV1 of the Selby District Local Plan (2005) and Policy SP19 of the Selby District Core Strategy (2013) which, amongst other matters, require that proposals take account of the standard of layout, design and materials in relation to the site and its surroundings, as well as positively contributing to an area's identity. The proposal also accords with paragraph 135 of the National Planning Policy Framework which sets out that developments should be visually attractive and sympathetic to local character.

Living Conditions

9. Only a small section of the proposed first floor element above the garage would extend along the rear boundary of 5 The Tabards, thereby limiting its effect on the outlook of this neighbouring property. Therefore, the proposal would not harm the living conditions of occupiers of No 5 with regard to outlook. However, as this first floor element would extend along the entire width of the existing garage, it would result in a width comparable to that of the main dwellinghouse. This would result in a significant amount of bulk sitting close to the rear boundary of 7 The Tabards. This, combined with the largely blank brick façade to this west elevation would result in a dominant structure, which would have an overbearing effect on both the garden and conservatory of No 7.
10. The sun path provided, combined with what I observed on site, indicates that there would be no significant overshadowing to the rear gardens of 5 and 7 The Tabards as a result of the proposed first floor extension due to the properties' relative orientation and the natural path of the sun. I have no evidence before me to demonstrate otherwise. Therefore, the proposal would maintain acceptable levels of daylight and sunlight for Nos 5 and 7.
11. The windows to the proposed first floor extension that would sit closest to the main body of 8 The Hamlet would have a restricted view towards the front elevation of 6 The Hamlet. Whilst the proposed extension would have a substantial forward projection, resulting in potential for intervisibility between the appeal site and 6 The Hamlet, these views would be at an oblique angle. This, together with the intervening distance between the proposed windows to the end of No 8's first floor extension and No 6 would be sufficient to ensure there would be no loss of privacy for either the appeal property or No 6.

12. I conclude that although the proposed first floor extension would have an acceptable effect on the living conditions of the occupiers of 5 The Tabards, 6 The Hamlet and the appeal property, the proposal would have an unacceptable effect on the living conditions of the occupiers of 7 The Tabards, with particular regard to outlook. Consequently, the proposal would be contrary to Policy ENV1 of the Selby District Local Plan (2005) which, amongst other matters, require development proposals to take account of the effect they may have upon the living conditions of adjoining occupiers. The proposal also fails to respond to paragraph 135 of the National Planning Policy Framework which requires development to create a high standard of amenity for existing and future users.

Conclusion and Recommendation

13. I have found that the appeal proposal would not result in harm to the character and appearance of the area. Whilst this weighs in favour of the scheme, it does not outweigh the unacceptable harm to the living conditions of the occupants of the neighbouring property at 7 The Tabards with regard to outlook.
14. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

E Nutman

APPEAL PLANNING OFFICER

Inspector's Decision

15. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

Joanna Gilbert

INSPECTOR