



Appeal Decision

Site visit made on 11 November 2025

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd December 2025

Appeal Ref: APP/C2741/D/25/3372412

Maplefields, 5 Laburnum Farm Close, Hessay, York YO26 8LG

- 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 A Tullie against the decision of City of York Council.
 - The application Ref is 25/00723/FUL.
 - The development proposed is Erection of outbuilding.
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Decision

1. The appeal is allowed and planning permission is granted for Erection of outbuilding at Maplefields, 5 Laburnum Farm Close, Hessay, York YO26 8LG in accordance with the terms of the application, Ref 25/00723/FUL, 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 Location Plan; ADC/GDR-02 Rev B; ADC/GDR-03 Rev B; ADC/GDR-04 Rev A.
 - 3) The external materials of the outbuilding hereby permitted shall match those used in the existing dwelling.

Main Issues

2. The main issues are:
 - whether the proposal would be inappropriate development in the Green Belt having regard to the National Planning Policy Framework (the Framework) and the development plan policies;
 - the effect of the proposal upon the openness of the Green Belt; and
 - whether the harm by reason of inappropriateness, and any other harm, would be clearly outweighed by other considerations so as to amount to the very special circumstances required to justify the proposal.

Reasons

Whether Inappropriate Development

3. The appeal property is a large modern, two storey detached dwelling located within a small mews style development, alongside similar properties. The site lies on the

edge of the village of Hessay and its rear garden backs onto a paddock with open fields beyond.

4. Paragraph 153 of the Framework states that inappropriate development is, by definition, harmful to the Green Belt, and should not be approved except in very special circumstances. Paragraph 154 makes it clear that, other than in specified circumstances, new development is inappropriate development. One of the exceptions to this is 154. c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. Annex 2 of the Framework defines 'original building' as a building as it existed on 1 July 1948 or, if constructed after 1 July 1948, as it was built originally.
5. It is common ground between the parties that the proposed outbuilding would constitute an extension for the purposes of paragraph 154. c) and given its close proximity to the rear elevation of the dwelling I see no reason to disagree. The appeal property has recently been extended at single storey level. This is a flat roofed extension that has increased the footprint of the dwelling by around 21%.
6. Policy GB1 of the City of York Local Plan (2025) (the LP) reiterates the provisions of the Framework with regard to Green Belts. Policy GB1 additionally references the guidance contained within the City of York Supplementary Planning Document for House Extensions and Alterations (2012) (the SPD). This states in paragraph 18.2 that, outside a settlement, proposals to extend the original footprint by more than 25% have traditionally been considered to be a disproportionate addition and resisted accordingly.
7. However, this is in relation to properties within the open countryside, not within a settlement 'washed over' by the Green Belt as is the case with the appeal scheme. The appeal site lies on the edge of Hessay but appears very much within its built-up area, flanked by existing dwellings within this development. In such locations, the SPD guides that extensions that comprise of 'limited infilling in settlements are permitted by the SPD at 18.3.
8. I acknowledge that the SPD is only guidance and that whether a proposal would comprise a disproportionate addition is ultimately a matter of planning judgement, nonetheless it is a useful guide as to what could be considered to be disproportionate.
9. Whilst there is a lack of agreement over the precise increase in the area of footprint above that of the original dwelling that would occur, it would be around 47% - 50%, taking into account the existing extension and proposed outbuilding. I acknowledge that the Framework refers to size, rather than floor area and therefore it is important to also consider the increases to volume.
10. The appellant has set out that the proposal would amount to a 23% increase in volume. This is, in part, due to the low roof forms of the extension and the proposed outbuilding, as well as the large size of the original dwelling. Mindful of the guidance within the SPD in relation to limited infilling, I am not of the view that a 23% increase in volume would amount to a disproportionate addition over and above of the size of the existing dwelling.
11. As such, having regard to my above assessment, the proposal can be regarded as the extension or alteration of a building, meeting the exception listed at paragraph 154. c) of the Framework. The proposal is therefore not inappropriate development

in the Green Belt. As I have found that the development is not inappropriate, it is not necessary to consider the effect of the proposal on Green Belt openness. Additionally, the demonstration of very special circumstances is not required to make the proposed development acceptable. For the same reasons, there would be compliance with Policy GB1 of the LP and the guidance contained within the SPD, set out above.

Conditions

12. Conditions are necessary in relation to the standard time limit and compliance with approved plans. A condition is also necessary to ensure the proposed materials match the existing dwelling.

Conclusion

13. For the reasons given above the appeal should be allowed.

Paul Martinson

INSPECTOR