
Appeal Decision

Site visit made on 27 January 2026

by **N Armstrong BA (Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4th March 2026

Appeal Ref: APP/U2750/W/25/3374618

49 Gaskin Close, Langthorpe, North Yorkshire YO51 9RN

- 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 N Turner against the decision of North Yorkshire Council.
 - The application Ref is 25/02696/FUL.
 - The development proposed is the change of use from domestic garage to create pilates studio for small classes (Max 2 Persons).
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs has been made by Mr N Turner against North Yorkshire Council, and this is the subject of a separate decision.

Preliminary Matter

3. I observed at my visit that the garage had been altered and appeared to be capable of use as a pilates studio with associated equipment. Double doors and a window have been installed within the side elevation of the garage, although the installed window is a different scale and design to that shown in the proposed plans. However, I have dealt with the appeal on the basis that planning permission is sought for the development as set out in the application and the submitted plans.

Main Issue

4. The main issue is the effect of the development on the living conditions of neighbouring residents and the character of the area, with particular regard to noise and disturbance.

Reasons

5. The appeal property comprises a detached two-storey dwelling within a quiet residential area with a mix of detached and semi-detached properties. It is situated on part of the road serving the housing estate leading to other properties at the end of a cul-de-sac. The single garage subject of the appeal is to the side and rear of the dwelling, adjoining a similar garage to the neighbouring property at 48 Gaskin Close. The garages are served by a long driveway that runs between the side elevations of both properties and up to the estate road. There is pedestrian access to the rear garden and garage from the drive. There is no boundary treatment to the driveway between the properties, which results in an open area for vehicle parking.

6. The pilates studio would be situated within the garage and the proposed use would be for a maximum of two clients per session, operating between the hours of 0715 to 0900 and 1715 to 1900 Monday to Friday and between 0815 to 1100 on Saturdays. This would equate to two morning and two evening sessions Monday to Friday and three sessions on a Saturday morning. No sessions would take place on Sundays or Bank Holidays.
7. The appellant's evidence suggests that pilates would be a generally quiet activity contained within the garage with the likely use of music being limited and low level. The external changes to the garage would not result in any harmful visual effects on the appearance of the area. However, the proposed commercial use would generate additional activity from associated comings and goings, with a more intensive and intrusive use during the hours of operation in comparison to use of the site solely as a residential property. This would result in the potential for more notable and additional disturbance, concentrated at times of the day when neighbouring residents might expect to enjoy a reasonable level of peace and quiet, noting the relatively tranquil area of the site.
8. The proposed level of use has been reduced from a previous planning application¹. However, the movements generated by the use in close proximity to the neighbouring residents, particularly given the relationship to No 48 and the open layout of the drives, would be notable in the context of the low level of existing activity in the area. The cumulative level of activity at the proposed times of day would therefore be at odds with what might reasonably be expected at a family dwelling and having regard to the quiet, residential character of the area.
9. Notwithstanding the lack of objection from the Council's Environmental Health Officer subject to conditions, the increased level of use would have an adverse impact for the reasons set out above. Whilst conditions could potentially limit the operating hours and the numbers of customers as proposed, these would not be sufficient to adequately mitigate the identified harm in this instance. Although any music may be minimal, from the information before me, I am not satisfied that potential noise and disturbance from the proposed use of the garage, including through activity during sessions and music, would be entirely contained to the building, particularly at times when the door and window may be open during warmer conditions for ventilation. It would also be difficult to enforce a condition requiring the door to remain closed. In the absence of compelling evidence to demonstrate otherwise, and given the proximity to the garden areas of neighbouring properties, this could add further to the overall adverse effects of noise and disturbance.
10. With regard to parking, the existing drive could accommodate vehicles associated with the development. Some users may be able to walk or cycle to the premises and there are public transport options in the wider area. How users travel to the site is not something that could be controlled by condition and it would be difficult to enforce the times at which they arrive before and between sessions. The availability of parking would potentially encourage access by private motor vehicle at the sessions. Given that vehicles and all users would need to use the driveway to access the site, this would add to the increased use above what may be expected for a residential use in this area during the proposed hours of operation.

¹ Application ref: 25/01896/FUL

11. For these reasons, I conclude that the development would have a materially harmful effect on the living conditions of neighbouring residents and the character of the area, with particular reference to noise and disturbance. Therefore, the development conflicts with Policy HP4 of the Harrogate District Local Plan 2014 – 2035 (2020), which aims for proposals to be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours.

Other Matters

12. I have had regard to the representations in support of the development suggesting a demand for such a use, as well as the potential benefits of a business use and health and wellbeing of users in relation to the economic and social objectives of the National Planning Policy Framework. Given the modest scale of the business these add only limited weight in favour of the proposal. Home working would enable the appellants to operate flexibly, balancing work and family life. I also note the appellant's reference to the demand for the use in this area, thus reducing the need to travel to other areas. There is limited information before me of other locations or how these can be accessed. Whilst the proposal may reduce the need for some users to travel to other locations, users would still need to travel to the appeal site, even if not all would use vehicles. I afford these matters limited weight in favour of the proposal. Whilst the above are benefits of the development, they do not outweigh the harm identified.
13. Furthermore, it has not been demonstrated that the appeal site is the only option available to meet any community need and that there is no alternative site that would have a less harmful impact. In addition, the lack of objection from some neighbouring properties does not equate to a lack of harm.
14. The appellant has directed me to other applications that appear to relate to businesses operating from homes. The full details of those proposals, their site-specific context or the circumstances in which they have been permitted are not before me. Therefore, I am unable to draw any direct comparisons from these with the appeal scheme that would weigh in its favour or justify the harm that I have found. Furthermore, my assessment is based on the impact of the proposal in this particular location.

Conclusion

15. The proposal conflicts with the development plan as a whole and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal should be dismissed.

N Armstrong

INSPECTOR