
Appeal Decision

Site visit made on 20 February 2026

by **M Willis BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2026

Appeal Ref: APP/C2741/W/25/3376383

56 Sycamore Terrace, York YO30 7DN

- 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 Mrs Yonqing Ren against the decision of City of York Council.
 - The application Ref is 25/00538/FUL.
 - The development is described as change of use from single dwelling with annexe (use class C3) to holiday let (Sui Generis).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of the development from the decision notice in the banner heading above, in the interests of clarity.
3. From my site visit and based on the evidence before me, the change of use has taken place and therefore the appeal seeks permission retrospectively. I note the Design and Access Statement indicates that additional openings have been created within the annexe building as part of its conversion and that these differ from those which were approved when permission to convert the building was granted. Whilst these are noted, it is not a matter in dispute and so I have not considered them further in my determination of this appeal.
4. The City of York Local Plan 2017-2033 (CYLP) was adopted on 27 February 2025 and constitutes the relevant development plan for the purposes of this appeal.

Main Issue

5. The main issue is the effect of the proposed change of use on the living conditions of the occupants of the neighbouring properties, with particular regard to noise and disturbance.

Reasons

6. 56 Sycamore Terrace is located within a quiet residential area and is a semi-detached property that has been extended through the conversion of the loft space and has five bedrooms. The annexe is a converted garage and is a self-contained unit with a living/kitchen space, double bedroom and shower/toilet facilities. Both the main house and annexe share the same curtilage, access and rear garden space.

7. The nearest neighbouring residential properties are 'The Boathouse', 12 and 13 Almerly Terrace and 54 Sycamore Terrace which adjoins the property. Sycamore Terrace and the surrounding streets comprise a mixture of detached, semi-detached and terrace properties of different ages. Whilst I noted some guesthouses and visitor accommodation in the wider area, these were limited in number and largely appear to be bed and breakfast type accommodation. The predominant use of the area is therefore residential.
8. I am advised that the house has operated as a short-term holiday let since 2021 and the annexe since 2024. The absence of previous complaints or enforcement action against this use does not however mean it is acceptable in planning terms or appropriate in this location. Instead, each case must be considered on its planning merits. In this case, given the proximity of other residential dwellings and the properties' location in a quiet residential area, it is important to consider whether the use can be carried out without adversely affecting existing neighbouring residents.
9. Based on the evidence before me, the house and the annexe can together accommodate up to 10 persons and are typically occupied together by related groups or families. Although the property could be used lawfully as a residential dwelling and accommodate a large family or similar sized group, holiday let accommodation has a higher turnover of occupants than that of a residential dwelling. As the property is aimed at tourists and visitors, movements to and from the property are likely to be more frequent and less consistent in terms of their overall pattern than that associated with a family home. Furthermore, whilst it is stated the property could be used for Air BnB or similar type temporary residential use without the need for planning permission, there is no evidence before me which supports or demonstrates this. This therefore limits the weight that I can attach to it as a fallback position. In any case I am required to consider the proposal before me which is seeking permission to use the property permanently as holiday let accommodation and not temporary use.
10. The rear garden space of 'The Boat House' faces towards the appeal property and only a boundary fence separates the gardens of the property and that of 54 Sycamore Terrace. As the house and annexe are likely to be occupied by groups that are known to one another, it is likely that the shared garden space would be used for socialising and gathering especially during the evenings and summer months. Whilst not all guests will behave the same, visitors and guests occupying the property may not have the same regard or consideration for neighbouring residents as they would if they were permanent residents. As a result, the combination of more frequent movements to and from the property throughout the day and night, along with a higher potential for large groups to gather and use the external garden space, increases the risk of noise and disturbance to neighbouring residents.
11. Although I note vetting policies and management measures are claimed to be implemented to control and reduce the effects of noise, smoke and disturbance to neighbours, there is limited information or details of these before me. Additionally, although the appellant claims there are appeal decisions that have accepted such policies and plans as effective mitigation, copies of these have not been provided and so I have been unable to take these into account. In any case I have determined this appeal on the basis of the evidence before me.

12. No detailed management plan has been submitted as part of this appeal and so I do not know what measures are in place or how reasonable and effective they would be in controlling activities and the use of the property. In any case I am not convinced imposing a planning condition requiring such a management plan would address my concerns as responsibility for complying with the plan would rest with the landowner and not the occupants. Although the landowner is said to live nearby this may not always be the case and therefore cannot be relied upon as a means of enforcement. Additionally, given the high turnover and number of guests that would occupy the property overtime, in my judgement, it would be unreasonable to expect the landowner to be able to control the behaviour of such a high number of different people. Therefore, a condition requiring implementation and adherence to such a plan would not be reasonable or enforceable and so not meet the legal tests as set out in the Framework¹.
13. For the above reasons, I conclude that the proposed change of use would harm the living conditions of the occupants of neighbouring properties with particular regard to noise and disturbance. The proposal therefore conflicts with Policies D1 and ENV2 of CYLP which together require, amongst other criteria, that development proposals protect the amenity of neighbouring residents and would not unacceptably harm the amenities of neighbouring communities through environmental impacts such as noise.
14. The proposal would also conflict with paragraph 135(f) of the Framework insofar as it requires development create a high standard of amenity for existing and future users.
15. I note the appellant has referred to a supplementary planning document entitled '*House Extensions and Alterations*' which is said to require that proposals do not unduly affect neighbouring amenity. The Council did not refer to this document within its officer report or in its decision notice and reasons for refusal and I have not been provided a copy of it. Nevertheless, as this document appears to reinforce the need to safeguard neighbouring amenity it does not alter my findings above.

Other Matters

16. The appellant has suggested that properties in the area are frequently left vacant, repeatedly sold or used for non-residential purposes due to regular flooding of the area and that this makes the locality unattractive for long-term residential occupation. Although I noted a few properties for sale or undergoing renovation at the time of my visit, this appeared to be no more than one would reasonably expect in any residential area. Whilst my visit represents a single point in time and vacancy levels may fluctuate, there is no evidence before me to substantiate or support the appellant's claim.
17. The property is close to the city centre and has good access to key attractions, services and facilities. The property can also be easily accessed via a variety of different sustainable transport modes including walking, cycling and public transport. In this regard the proposal therefore accords with Policies DP2 and T1 of the CYLP as well as paragraphs 92 and 110 of the Framework.

¹ Paragraph 57 of the National Planning Policy Framework (2024)

18. As tourist and visitor accommodation, the proposal offers potential economic benefits in terms of visitor spending and supporting employment through on-going management and maintenance activities. The proposal would therefore contribute to the local economy and help to support local shops, businesses and service providers and so accords with the objectives of Policy EC4 of the CYLP and paragraph 85 of the Framework.

Planning Balance

19. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise.
20. I have found the proposal to be contrary to Policies D1 and ENV2 of CYLP as the proposed use would not protect the amenity of neighbouring residents and would unacceptably harm the amenities of neighbouring communities through environmental impacts such as noise. I attach this conflict and harm great weight against the proposal.
21. I have found the location of the property, being close to the city centre and with good access to key attractions, services and facilities and sustainable transport modes, to accord with Policies DP2 and T1 of the CYLP. However, the absence of harm and compliance with these policies is a neutral factor and does not weigh in favour or against the proposal in the planning balance.
22. Set against the above, potential economic benefits include increased visitor spending and support for local businesses and employment which would contribute to the local economy. In this regard I have found the proposal to accord with the objectives of Policy EC4 of the CYLP. However, given the scale of the proposal, these benefits would be limited and so attract a little positive weight in favour of the development.
23. Given my findings above, the proposal would conflict with the development plan when considered as a whole. There are no material considerations of sufficient weight, including those raised by the appellant and the Framework, that outweigh that conflict and indicate that a decision other than in accordance with the development plan should be made.

Conclusion

24. For the reasons given above, the appeal should be dismissed.

M Willis

INSPECTOR