



Appeal Decision

Site visit made on 13 April 2026

by Alison Scott (BA Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 May 2026

Appeal Ref: APP/U2750/D/25/3376697

24 Garth Drive, Hambleton, North Yorkshire YO8 9QD

- 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 Bryan Turner against the decision of North Yorkshire Council.
 - The application Ref is ZG2025/0912/HPA.
 - The development proposed is Two storey extension to the side & rear, single storey rear extension with balcony above.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues of the proposal are:
 - The effect on the character and appearance of the street scene;
 - The effect on the living conditions of local occupants by way of overshadowing, sense of overbearing and overlooking and loss of privacy; and
 - Whether or not the boundary treatment would result in a highway and pedestrian safety issue.

Reasons

Character and appearance

3. The appeal site is located in a modern and planned cul-de-sac of around ten houses and bungalows of mainly a semi-detached style located in a larger housing development. Number 24 is positioned towards the bottom of the cul-de-sac and attached to Number 24a and is a modestly sized bungalow set in a reasonably large plot. It has the characteristics of a traditional bungalow and the design is shared with others seen in close relation, together with the use of a cohesive palette of materials seen throughout the whole development.
4. The appellant intends to extend the bungalow as a wrap around two-storey extension to incorporate a new bedroom within the roof including a corner balcony towards the rear, providing access from two bedrooms and an enlarged ground floor area.
5. From the front elevation the proposed new extension would take on the appearance of an overhang set back from the front building line. This would be an atypical feature to the traditional character of the bungalow made more severe by

the use of the front flat cheeks covered in contrasting timber-look panels when compared to the conventional facing red brick. The pitch of the roof and use of roof tiles may correspond with the host dwelling. However, the configuration would not harmonise with the simple character of the existing bungalow.

6. The combination of extended side and rear elevation together with a large roof dormer and adjacent balcony above an element of the flat roof, would significantly alter the proportions of the dwelling. Overall, it would add a bulky and visually obtrusive form of extension to the dwelling, visible from the street scene and made more acute by the disjointed choice of proposed materials. Even if the appellant uses high quality materials and considers it to be contemporary, they would not blend seamlessly with the local vernacular.
7. There may be other extensions to dwellings within the housing estate as a whole. However, the precise details to compare are not before me. In any case, I must consider the context of this dwelling and the merits of this scheme only.
8. Therefore, the extension as a whole due to its scale, bulk, design including materials would not represent a well-designed, sympathetic or subservient form of development, but instead adversely harm the character and appearance of the host dwelling, and the street scene.
9. To conclude on this main issue, the extension would not meet the aspirations of high-quality design encapsulated within Policy SP19 of the Core Strategy and Policy ENV1 of the Selby District Local Plan as well as the achieving good design aims of the National Planning Policy Framework. The high level aspirations of policy SP1 of the Core Strategy would be upheld in so far as the proposal would not accord with the relevant policies of the up-to-date local plan.

Living conditions

10. The appeal site is surrounded by other residential dwellings. The ground floor rear extension would extend close to the party boundary with Number 24a Garth Drive, although only a small portion would be visible above the high perimeter fence.
11. The balcony would be positioned in close quarters to this adjoining dwelling at around 2m projection along the party boundary. The form of screening proposed would be sufficient in order to prevent overlooking and a loss of privacy to the adjoining neighbours.
12. This screening balustrade would be at a high level and add some bulk to the dwelling. However, I am not persuaded that it would cause a sense of overbearing to the adjoining occupants. The proposal would be located to the west of this dwelling and only a limited amount of overshadowing would occur later into the day. Therefore, the occupants' living conditions would not be unduly harmed by the proposal.
13. The rear balcony would bring development closer to the houses behind at 19 and 21 Westcroft Lane. However, the privacy screen associated with the balcony may be lower in height on the southern elevation, but direct overlooking towards the rear elevations and gardens of Westcroft Lane would not arise due to the orientation of dwellings to one another. There would also be a separation distance of over 21m between the dwellings. Therefore, overlooking and loss of privacy would be mitigated by these factors together with the privacy screen.

14. Turning to the effect of the scale of the extensions proposed as a whole, it would be large in scale although I am not of the view that this would adversely compromise the living conditions of any other neighbouring occupiers by way of a sense of overbearing due to the separation distances to the houses behind at Westcroft Lane, the existing high boundary treatments with natural landscaping and garage structure in-between, together with the layout of the planned housing estate and orientations.
15. Number 26 Garth Drive to the east of the appeal site would also not be reasonably compromised by the scale of the proposal due to the separation distance, and the privacy screen around the balcony would prevent overlooking and a loss of privacy to the occupants.
16. Therefore, to conclude on this main issue, the proposal would safeguard the living conditions of the adjacent neighbours, and compliant with Policy ENV1 of the Selby District Local Plan and the same objectives of the National Planning Policy Framework.

Highway and pedestrian safety

17. Garth Drive is in the main an open plan estate and this effect improves visibility when accessing and egressing driveways as a consequence. Pedestrian and highway safety is therefore safeguarded.
18. There is a pedestrian route leading from Garth Drive to Westcroft Lane that runs past the appeal site. There are other dwellings located to the west of the appeal site at the end of the cul-de-sac where vehicular and pedestrian access is gained.
19. I am made aware by the parties that the appellant has planning permission for a boundary wall at the site although they have erected one differing to this.
20. Despite the 30mph speed limit here, traffic levels and speeds will be low within the cul-de-sac and the only vehicles the appellant would likely to come into conflict with would be those entering and egressing driveways to the west of the appeal site. Conflict could nevertheless arise.
21. I am mindful of the pedestrian footway that runs adjacent to the appeal site and the effect of an inadequate visibility splay at the site and the vulnerability of pedestrians, small children and dogs walking past the vehicular access of the appeal site. This is made more apparent as Garth Drive is part of a larger modern and planned housing development with pedestrian routes intentionally designed in. Furthermore, there is an expectation that families and young children reside here, and this is reinforced by the play area opposite the entrance into the cul-de-sac.
22. Even if I were to impose a planning condition to revise the visibility splay as suggested by the appellant in order to meet the six tests of paragraph 57 of the National Planning Policy Framework or the advice within the Planning Policy Guidance on the Use of Planning Conditions, I have found the proposal to be unacceptable in other regards.
23. Therefore, the proposal would not meet the highway safeguarding requirements of Policies ENV1, T1 and T2 of the Selby District Local Plan and the National Planning Policy Framework that advises refusing permission on unacceptable highway safety grounds.

Other Matters

24. The appellant draws to my attention the proposal would improve their living conditions. Be that as it may, this would not overcome the harm I have identified.

Conclusion

25. Despite my findings in favour of the proposal with regards to the impact on the living conditions of local occupants, it would lead to harm arising to the character and appearance of the local area and result in a detrimental effect on highway and pedestrian safety
26. On balance, I have considered all matters that have been raised and conclude that the proposal would conflict with the development plan as a whole and there are no other material considerations which lead me to determine the appeal otherwise than in accordance with it. Therefore, for the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR