

Appeal Decision

Site visit made on 14 February 2017

by Graeme Robbie BA(Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 7 March 2017

Appeal Ref: APP/G2713/W/16/3164186

land between Acacia Lodge and Stoneybroke, Raskelf Road, Easingwold YO61 3LA

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs FM Blackburn against the decision of Hambleton District Council.
 - The application Ref 16/01593/FUL, dated 12 July 2016, was refused by notice dated 9 September 2016.
 - The development proposed is the construction of 2 detached 4 bedroom dwellings and associated garages, and access.
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Decision

1. The appeal is allowed and planning permission is granted for the construction of 2 detached 4 bedroom dwellings and associated garages, and access at land between Acacia Lodge and Stoneybroke, Raskelf Road, Easingwold YO61 3LA in accordance with the terms of the application, Ref 16/01593/FUL, dated 12 July 2016, subject to the conditions set out in the attached schedule.

Procedural Matters

2. In the interests of precision I have adopted the description of development set out on the Council's notice of decision.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the surrounding area.

Reasons

4. The appeal site is located on Raskelf Road, towards the north-eastern extent of Easingwold. The site is surrounded on three sides by existing dwellings. To the north, on the opposite side of Raskelf Road, lie agricultural fields that lie within a wider expansive and open agricultural landscape.
 5. Existing housing in the wedge of land between Raskelf Road and Alne Road is varied in its scale, appearance and overall character. Although the two properties fronting Raskelf Road on either side of the appeal site are bungalows, development along Raskelf Road is generally mixed, with examples of dormer bungalows and one-and-a-half and two storey dwellings. Similarly, to the rear of the site on Alne Road, there is a mix of bungalows and two storey dwellings.
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6. The proposed dwellings would be two storeys in height, albeit at a slightly reduced overall height following amendments during the course of the planning application, and would sit alongside bungalows. It is a matter of common ground that the two dwellings would be larger than the bungalows either side.
7. However, whilst the Council refer to the contrast between the proposed dwellings and the existing properties in terms of form, it is clear to me that there are a broad variety of dwellings in the area and such variation is a contributing factor to the overall character of this part of Easingwold. I do not agree that the area should be defined as tightly as just those dwellings on either side of the appeal site or, as described by the Council, the immediate area. That is not to say that the relationship between those properties and what is proposed is not important. Rather, that the overall form and character of the area is derived from properties across a wider area along Raskelf Road from its junction with Alne Road, including the area around that junction and within the wedge of land between Raskelf Road and Alne Road.
8. The approach to Easingwold along Raskelf Road from the west is pleasantly low key, with a sylvan character. The form, pattern and appearance of the roadside hedge along the southern side of Raskelf Road combines with the mature and, at times, extensive, landscaping within the front garden plots of properties here to create a soft, verdant approach into Easingwold. However, I found that the character of properties along this stretch of Raskelf Road gradually changes towards the junction with Alne Road; in terms of siting within their plots, the extent of landscaping and depth of garden to the front, and consequently their degree of prominence within the streetscene relative to the road itself.
9. The dwellings along this stretch do not exhibit a uniform building line parallel to the road. Instead, they are sited incrementally closer to Raskelf Road the further east along this stretch of road towards the junction with Alne Road, each having a gradually decreasing amount of space between them and the roadside, being This has the effect of naturally drawing the eye along towards this junction or, alternatively when travelling or viewing in the opposite direction, views opening out on both sides of the road from the relative visual pinch points of Beechdene, the Alne Road junction and the two relatively recent, and substantial, dwellings at East and West House.
10. The proposed dwellings would reflect and broadly maintain the character of this approach into Easingwold in terms of their siting and positioning within their respective plots. I am also satisfied that they would maintain a degree of spaciousness about them, particularly with the separation between the two dwellings at first floor and roof level, that would not be out of keeping with that found elsewhere along this stretch of Raskelf Road. I accept that the dwellings would stand in the region of 2 metres to 2.3 metres higher (at ridge level) than the two bungalows on either side. However, the inter-mixing of bungalows and two storey dwellings is not out of keeping; indeed I find that such variety is very much a characteristic of the Raskelf Road approach into Easingwold. Nor do I find such variation harmful to the overall character or appearance of Raskelf Road.
11. Although the detached garage associated with plot 1 would sit forward of both dwellings, it would not do so in a manner that would detract from, or otherwise erode the general form and layout of existing dwellings along the southern side

of Raskelf Road identified above. Nor, I conclude, would it compromise the ability of the proposed dwellings to be absorbed into the Raskelf Road streetscene. Whilst the proposed dwellings would lack the driveway-width between each other that some others nearby have, the driveway entrances would nonetheless be paired, creating a generously proportioned entrance in the manner of that found at Acacia Lodge and The Homestead. With appropriate landscaping and planting, and retention of the existing roadside hedge, I have no reason to believe that the proposed dwellings would not respect the general form and character, layout and sylvan nature of those properties further west.

12. Thus, for the reasons I have set out, I consider that the proposed development would reflect and respect the varied local context within which it would sit, would be of a high quality and be compatible with the local land-scape and town-scape. The proposal would therefore accord with policies CP1 and CP17 of the Hambleton Local Development Framework: Core Strategy (CS) and policy DP32 of the Hambleton Local Development Framework: Development Policies Development Plan Document (DPD). Together, these policies seek to secure high quality development that makes efficient use of land in a manner that respects and reflects local context and character.

Other Matters

13. With regard to the submissions from local residents regarding the nature and volume of traffic along Raskelf Road, the proximity of the proposed access to a traffic calming feature and speed limits on Raskelf Road, I note that the Highway Authority did not object to the proposal on these grounds, and that highway safety did not form a reason for refusal. Moreover, from all that I have seen and read I am satisfied that there is no evidence before me that would lead me to conclude otherwise.
14. Local residents object to the proposal on a wider basis, including loss of privacy, overshadowing and loss of daylight, implications for surface water drainage and flooding and alternative forms of development on the site. However, these did not form part of the Council's reasons for refusal and I am satisfied that these matters would not result in a level of harm which would justify dismissal of the appeal. In addition, I have considered the appeal entirely on its own merit in light of the information before me. That information does not lead me to conclude that these other matters, either individually or cumulatively, would be an over-riding issue warranting dismissal of the appeal.
15. Both parties have referred to a number of other development proposals in support of their respective cases. Whilst I have been provided with some detail in respect of these examples, I have not been provided with complete details of those proposals. On that basis I cannot therefore be certain that they provide direct comparisons to the appeal site or proposal, and so therefore give these matters limited weight.

Conditions

16. I have considered the Council's list of suggested conditions in light of the Framework and Planning Practice Guidance. Where necessary, and in the interests of accuracy and precision, I have amended the conditions as appropriate. In addition to the time limit condition, I agree that conditions

specifying the approved plans and details of the external surface materials are necessary in order to provide certainty and in the interests of the character and appearance of the surrounding area.

17. Conditions in respect of levels and landscaping are necessary in the interests of visual amenity whilst conditions in respect of parking and access are imposed in the interests of highway safety.

Conclusion

18. For the reasons set out, and having considered all other matters raised, I conclude that the appeal should be allowed.

Graeme Robbie

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 949/10B – Site Layout; 949/P1/02 – 09 August 2016 – Plot 1; 949/P2/02 – 17 August 2016 – Plot 2; 949/P1/03 – 12 July 2016 – Plot 1 Garage; 949/01 – Location Plan and 949/02 – Topographical Survey.
- 3) No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development have been submitted to, or made available on the application site for inspection by, the Local Planning Authority, and have been approved in writing by the Local Planning Authority. The development shall thereafter be constructed in complete accordance with the agreed details.
- 4) No development shall take place until detailed cross sections have been submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
- 5) There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
- 6) There shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site has been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
 - c. The existing access shall be improved by widening in accordance with the submitted drawing reference 949/10B and be constructed as a dropped kerb crossing of the footway/verge to standard detail E6VAR;
 - e. Any gates or barriers shall be erected a minimum distance of 4.5 metres back from the carriageway of the existing highway and shall not be able to swing over the existing highway.
 - h. The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing highway.The development shall thereafter be carried out in complete accordance with the agreed details.
- 7) There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43 metres measured along both channel lines of the major road from a point

measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

- 8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the detached garage associated with plot 1 and the integral garage at plot 2) shall be kept available for the parking of vehicles at all times, and shall not be converted into domestic accommodation.
- 9) There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and shall be retained and operated in accordance with the agreed details.
- 10) There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - a. on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation
- 11) No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (949/10B – Site Layout). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
- 12) No development shall take place until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.