

Appeal Decision

Site visit made on 23 March 2017

by M Seaton BSc (Hons) DipTP MRTPI

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

Decision date: 06 April 2017

Appeal Ref: APP/G2713/W/16/3165147

22 Roseberry Avenue, Stokesley, North Yorkshire, TS9 5HE

- 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 D Hill against the decision of Hambleton District Council.
 - The application Ref 16/00198/FUL, dated 25 January 2016, was refused by notice dated 29 September 2016.
 - The development proposed is the erection of an additional dwelling in the garden of the existing bungalow.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site is located within an existing residential area, and comprises part of the private rear garden of the existing bungalow at 22 Roseberry Avenue. The site is essentially set to the side of the bungalow and appears as a largely triangular parcel of land currently enclosed by hedgerows, and also accommodates an existing detached single garage, which would be demolished. The proposed development would be located on the outside of a relatively sharp bend in Roseberry Avenue. To the east of the site is the A172.
 4. The Council accepts that the appeal site is located within the identified development limits of a market town, where the development of a new dwelling would be acceptable in principle. It is also evident that there is a clear variety in the type and appearance of existing dwellings within the immediate area, with a mix of two-storey and single-storey development. In this respect, the single-storey scale of the proposed dwelling would not be at odds with the character of existing dwellings within the vicinity, and neither would the specific design of the proposed bungalow be particularly uncharacteristic either.
 5. In respect of the overall size of the site, whilst I would not disagree with the appellant's contention that 22 Roseberry Avenue possesses a comparatively large private garden, its shape and disposition provides a significant challenge for the siting of an additional dwelling. As a consequence, due to the constraints presented by the site's size and shape the proposed layout would
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introduce a dwelling uncharacteristically close to the rear of the pavement in the context of the immediate vicinity. Furthermore, I would agree with the Council's assessment that the position of the dwelling would result in a cramped and contrived form of development with the residual amenity space being of both limited size and a convoluted arrangement.

6. I have carefully considered the appellant's assertion regarding the absence of established building lines which would affect the site. However, whilst I accept that there is a certain degree of variation in respect of building lines within the wider area, there would seem to be a general principle that the various types of dwelling are characteristically set back behind reasonably-sized front gardens. The proposed dwelling would not adhere to this principle and as a consequence would possess a more cramped and incongruous appearance within the street scene. I have noted the reference to the existing single storey garage as an existing visual intrusion within the street scene, although this structure quite clearly reads as ancillary to the existing dwelling, and I don't therefore consider the context to be comparable.
7. The proposed development would represent a cramped form of development in this location, and would have an adverse effect on the character and appearance of the area. The proposal would therefore not accord with Policy CP17 of the Hambleton Core Strategy 2007, and Policy DP32 of the Hambleton Development Policies 2008, which seek to ensure that development achieves a high quality design, and respects the built characteristics which positively contribute to the local character and distinctiveness of the area. I have also had regard to requirement for good design being the key to sustainable development as set out in the National Planning Policy Framework (the Framework). However, for the reasons already set out above the proposed development would not represent good design.

Other Matters

8. The appellant has drawn my attention to the various facets of sustainable development as set in the Framework, and in particular the need to achieve the three mutually dependent elements of sustainable development; economic, social and environmental.
9. In this respect, the Government's commitment to building a strong economy, and the need to boost the supply of housing have been highlighted. I accept that the proposed single dwelling would make a limited contribution towards the supply of housing to meet local needs. I also agree that the economy would have the potential to experience some limited benefit both during the construction period and following occupation, and also that the appeal site is located within a sustainable location with good access to the services and facilities of Stokesley, as well as to public transport links to the wider area. I also note the appellant's contention regarding the availability of the New Homes Bonus contributions and contributions to meet the Community Infrastructure Levy which could be secured as a benefit as a consequence of the development.
10. Whilst acknowledging the above benefits, for the reasons I have already set out above, I have found that the proposal would be harmful to the character and appearance of the area, and would not therefore represent good design. I have not therefore found the development to be in accordance with either the Development Plan or the design policies of the Framework. I am satisfied that

despite the limited benefits summarised above, that these would be significantly outweighed by the adverse impacts.

Conclusion

11. For the reasons given above, I conclude that the appeal should be dismissed.

M Seaton

INSPECTOR