
Appeal Decision

Site visit made on 1 August 2017

by Katie McDonald MSc MRTPI

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

Decision date: 7 September 2017

Appeal Ref: APP/G2713/W/17/3174825

21 St Paulinus Drive, Romanby, North Yorkshire DL7 8JE

- 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 B Rennison against the decision of Hambleton District Council.
 - The application Ref 16/02147/FUL, dated 26 September 2016, was refused by notice dated 3 March 2017.
 - The development proposed is residential development for 3no dwellings.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr B Rennison against Hambleton District Council. This application is the subject of a separate Decision.

Main Issue

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

Reasons

4. The site is a large garden to the south of St Paulinus Drive and St Cuthbert Drive, a suburban residential area featuring predominantly semi-detached dormer bungalows. The site is bounded by an evergreen hedge and fence to the northern boundary, and a mixture of post and rail fencing and shrubbery to the south and west. There are various ornamental and fruit trees, a vegetable patch and small outbuildings within the garden. Beyond the site to the south and west are open fields, bounded by hedgerows. The proposal is to erect 3, 2 storey dwellings, one detached and 2 semi-detached with a rather uncharacteristic form of access taken from the driveway of 21 St Paulinus Drive.
5. The site lies outside the Development Limits for Northallerton and Romanby. Policy DP8 of the Hambleton Development Plan Document, Development Policies (February 2008) (DP) supports development within the settlement Development Limits, with Policy CP4 of the Hambleton Development Plan Document, Core Strategy (April 2007) (CS) outlining exceptional circumstances

where development would be supported in other locations. The proposal does not demonstrate any exceptional circumstances.

6. As required by the Planning and Compulsory Purchase Act 2004, s38(6), the decision must be made in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework (the Framework) is one of these material considerations, and places an emphasis upon achieving sustainable development.
7. The site is located on the edge of the built up area of Romanby, and it is accepted by both parties that the location would help to minimise the need to travel and would help to support the use of local infrastructure, leading me to the conclusion that the site is in an accessible location. Indeed, its position adjacent to existing housing indicates as such. However, whilst many sites on the edge of the Development Limits could be considered accessible locations; it is important to note that one of the aims of setting Development Limits is to prevent the unplanned outward spread of development.
8. The cul-de-sac ends of both St Paulinus Drive and St Cuthbert Drive are next to the appeal site, and they are terminated by turning heads that have a pedestrian link and small piece of open space between. I find that this clearly marks the end of the built development in this location, which is endorsed by the Development Limit boundary.
9. The character of the site is distinctly different from the open countryside, but is also distinctly different from that of a fully domesticated garden set within the rest of the residential estate. I agree with the Council that it acts as a transitional buffer between the residential dwellings and the open countryside beyond. The erection of 3 dwellings would significantly change this character, introducing a fairly intensive development on what is currently a relatively open, undeveloped parcel of land. I find that it would harmfully erode this edge of settlement form. Further, the routing of the proposed access along the boundary would introduce vehicle movements and traffic that would detrimentally affect the intrinsic tranquil character, openness and quality of the countryside.
10. Consequently, I find that the proposal would cause significant harm to the character and appearance of the surrounding area, conflicting with Policies DP8 and DP30 of the DP and Policies CP4 and CP16 of the CS, which seek to encourage sustainable development and protect the character and appearance of the countryside. As such, the environmental dimension of sustainable development would not be achieved.

Other Matters

11. Whilst I note that the proposal would contribute towards the delivery of housing in the area with associated social and economic benefits, the Council have identified more than a 5 year supply of housing, and in this context, I find the moderate boost to housing supply carries limited weight.
12. An appeal decision (APP/G2713/W/16/3158519) and another decision by the Council (16/01477/OUT) have been cited as being planning matters relevant to the Appeal Decision. I have no evidence before me that 16/01477/OUT was approved, and I have given this limited weight. Based on the information before me, I find the circumstances of APP/G2713/W/16/3158519 are different

to the appeal before me, given that I found harm to the character and appearance of the area. Furthermore, each application and appeal falls to be considered on its own particular merits within the context of the specific circumstances and planning policies that apply to it, and that is how I have dealt with this case.

13. Pre-application advice from the Council gave the indication that the development would be considered as a sustainable location and subject to some layout amendments, may be acceptable. It is well-acknowledged that pre-application advice is given without prejudice. However, I appreciate the appellant's assertion that concerns regarding the development's erosion of the countryside were not raised. Nonetheless, this does not lead me to a different conclusion.
14. I have noted the emerging site allocations, but I attach very little weight to this given its early stage in the process. Furthermore, developing part of the site as proposed would not result in a logical or coherent addition to this part of the settlement, in contrast to the potential of a larger site.

Conclusion

15. Having had regard to all other matters raised, none have been found to outweigh the identified harm and policy conflict. Accordingly and for the reasons above, I conclude that the proposal would not be a sustainable form of development and the appeal should be dismissed.

Katie McDonald

INSPECTOR