
Appeal Decision

Site visit made on 30 July 2019 by Ifeanyi Chukwujekwu BSc (Hons) MSC PIEMA RTPI (Assoc)

Decision by A U Ghafoor BSc (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 August 2019

Appeal Ref: APP/V0728/W/19/3228712

38 Church Lane, Eston, TS6 9DB

- 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 Daniel Young against the decision of Council of Redcar and Cleveland Borough Council.
 - The application Ref R/2018/0617/FF, dated 12 October 2018, was refused by notice dated 4 January 2019.
 - The development proposed is two dormer style bungalows on rear garden with shared access drive, new double garage to existing property at front and the demolition of existing outhouses and swimming pool.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The effect of the proposal on the character and appearance of the host property and the surrounding area.

Reasons for the Recommendation

4. No. 38 is a detached bungalow on a large plot of land located on Church Lane. The surrounding area is residential, and the character is partly derived from detached dwellings with large gardens to the front and rear. There is a mix of dwelling types in a variety of sizes and shapes with gardens of differing sizes, which dilute the contribution made by large gardens to the front and rear to the quality of the street scene. Nonetheless, large gardens are a distinctive feature of the surrounding area.
5. The proposed two dormer style bungalows by virtue of their size and siting would not respect the character of the site and its surroundings, due to the proposed layout and siting of the plots. It is acknowledged that many of the neighbouring dwellings have outbuildings in the rear garden. These, however, are domestic in scale and are likely to be ancillary structures.

6. The dwellings would be partially visible from the public realm via the proposed access and would appear out-of-keeping with the pleasant setting of green cover back gardens that are distinctive features of the surrounding area. The development proposed would be uncharacteristic of the settlement pattern, because of the site's back-land location. The nature of the development would not respect or enhance the character and appearance of the host property and the surrounding area.
7. Furthermore, the appellant argues that the precedent of back land development in the immediate locality has already been established by the addition of 2 no. dwellings at no. 42 Church Lane. On the other hand, the Council assert that planning history for these is not available and have been in-situ for many years; they may well be immune from enforcement action. Nevertheless, green and pleasant back gardens continue to define the quality of the area, and these other examples do not justify harmful development. In any event, each application and appeal should be determined on its individual merits.
8. Taking all the above points together, I find that the nature, scale and layout of the proposed two dormer style bungalows would harm the character and appearance of the host property and the surrounding area. The other considerations advanced do not outweigh the harm caused by the development. Accordingly, there is conflict with the aims and objectives of the National Planning Policy Framework and Policy SD4(j) of Redcar and Cleveland's Local Plan (Adopted May 2018).

Conclusion and Recommendation

9. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

Appeals Planning Officer

Inspector's Decision

10. I have considered all the submitted evidence and the Appeal Planning Officer's report, and, on that basis, I too agree that the appeal should be dismissed.

A U Ghafoor

INSPECTOR