
Appeal Decision

Site visit made on 6 August 2019

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 September 2019

Appeal Ref: APP/G2713/W/19/3229521

Four Gables, Stokesley Road, Hutton Rudby, North Yorkshire TS15 0JJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Alan Heath against the decision of Hambleton District Council.
 - The application Ref 18/02591/OUT, dated 3 December 2018, was refused by notice dated 8 April 2019.
 - The development proposed is to build a new house in the rear garden of Four Gables, Stokesley Road, Hutton Rudby.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The planning application is in outline with all matters reserved except for access. I have determined the appeal on that basis.

Main Issue

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

Reasons

4. The appeal site currently forms part of the rear garden of Four Gables which is a detached residential property. It also comprises a strip of land to the side that is currently an agricultural field which would be used to access the proposed dwelling. Four Gables is currently the last dwelling on the north side of Stokesley Road leading out of the village. There is a well-defined hedgerow forming the eastern boundary of the property which also at present represents the eastern boundary of the village in this location.
5. The appeal site is located in part of Hutton Rudby called Rudby and lies to the north of the main village of Hutton Rudby. Although the areas are connected by a bridge over the river, they are identifiable in their own right as separate settlements. Rudby is predominantly residential. Like the appeal site, most residential properties are detached properties with large gardens, although there is some variation of plot sizes and styles of property.
6. The proposed development would result in the creation of two small plots in an area characterised by much larger ones on the northern side of Stokesley Road. Moreover, it would break the existing characteristic pattern of development formed by dwellings fronting the street. Whilst the proposed

- development would not be widely visible, it would nonetheless be at odds with the character of this part of the settlement.
7. I have taken into account the outline planning permission on land to the east of the appeal site for 5 dwellings. However, whilst noting that this has not yet commenced, it is clear that it would continue the established form and nature of development along the northern side of Stokesley Road and thus reflect the prevailing development pattern. The existence of this other permission does not alter my finding of harm.
 8. The appellant has referred to cul-de-sacs in the area and argues that they represent a precedent for smaller plots and another layer of development behind the main streets. However, the cul-de-sacs, including Rudby Lea are very different to the appeal proposal in that they are significantly different forms of development centred around the creation of new streets.
 9. I have had regard to the other appeals that have been referred to by both parties. Other than the decisions, I do not have full details of the cases referred to. Notwithstanding the appeal on the land adjacent to the appeal site, these cases are distant from the appeal site. In the Stokesley Road appeal the Inspector commented that the large plots and large dwellings proposed by individually designed self-build homes are not an existing feature of Rudby or the surrounding area. I find this argument would not wholly apply in support of the current appeal proposal, which is for a different form of development, in that it is for a new dwelling in the rear garden of an existing property. In my acknowledgement of the extant planning permission for the neighbouring land I highlight that unlike the current appeal proposal, that development (and that subject to the previous appeal) would continue the established form and nature of development in a linear pattern along Stokesley Road with the dwellings forming part of the street scene. I have therefore taken this appeal decision into account but have considered the appeal proposal on its own individual merits.
 10. I therefore conclude that the proposed development would introduce a discordant built form to the locality that would be out of keeping with and harmful to the character wider area, failing to respect the local form and character of the settlement. It would be contrary to Policy CP17 of the Hambleton Local Development Framework Core Strategy (2007) and Policy DP32 of the Hambleton Local Development Framework Development Policies Document (2008). These policies promote high quality development that takes into account local character, including amongst other things, a requirement to have regard to plot patterns, street layouts and to respect and enhance the local context.
 11. The proposal would also be contrary to the Council's adopted Interim Policy Guidance (2015) that requires, amongst other things that development must reflect the existing built form and character of the village. I also find some conflict with paragraph 127 of the National Planning Policy Framework (the Framework) in relation to the requirement for developments to add to the overall quality of the area and be sympathetic to local character.

Other Matters

12. I acknowledge that the development would allow for possible downsizing, the ability to stay in Hutton Rudby and enable a large house to become available

for families. However, the contribution of one additional dwelling to the overall housing stock of the area would be minimal and does not lead me to a different overall conclusion.

Conclusion

13. For the reasons given above, the appeal is dismissed.

A M Nilsson

INSPECTOR