



Appeal Decision

Site visit made on 23 September 2019

by Gary Deane BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th October 2019

Appeal Ref: APP/E2001/W/19/3223417

Land South of 118a Auchinleck Close, Kelleythorpe YO25 9HE

- 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 Cutting against the decision of the East Riding of Yorkshire Council.
 - The application Ref DC/18/02958/PLF/EASTNN PP-07189288, dated 6 August 2018, was refused by notice dated 22 November 2018.
 - The development proposed is the erection of one single storey dwelling and single vehicular access.
-

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 local area.

Reasons

3. The proposal is to erect a detached single storey dwelling on an area of grassland in private ownership off Auchinleck Close within an established residential estate, within which 2-storey dwellings predominate. In doing so, the proposal would introduce a new built form into an area of open space that, at present, positively contributes to the character and appearance of the local area in three main ways.
4. Firstly, it adds to the quality of the local environment by providing a visual break between existing buildings and a welcome sense of openness in the local street scene. This characteristic is particularly experienced on the immediate approach to the site along Auchinleck Close, in both directions. Secondly, the central position of the land with existing houses arranged around three sides in a horseshoe layout make it well suited to provide a distinctive green focal point within the existing residential estate. Finally, the land visually softens the appearance of the existing buildings surrounding it, which is evident from various public vantage points along the adjacent road.
5. The new dwelling would be set back from the highway on all sides. It would stand behind a hedgerow, low level planting and reasonably sized gardens that the appellant states compare favourably with the size of those of other nearby properties. The existing roadside tree would also be retained. However, the appellant's opinion that this arrangement would ensure that a sense of

openness within this part of the housing estate is retained with greenery that would visually soften the built development is, to my mind, overstated.

6. The proposal would introduce a substantial new built form with a hard surface for vehicle parking into undeveloped space. The character of the land in question would be transformed from largely open grassland to one occupied by a building where people would live and visit. The new building would curtail expansive views towards and across the site. It would significantly diminish the spacious feel to the local street scene. Furthermore, the distinctive green focal point provided by the grassland, which appears to be part of the original design to the wider residential estate, would be permanently lost.
7. That the site is not designated as open space in the East Riding Local Plan 2012–2029 Strategy Document (LP) does not in itself diminish the harm that I have identified nor does it indicate the suitability of the land for development, as the appellant states. I accept that the site is not in public use. At the time of my site visit, a boundary fence enclosed the land to prevent access. According to the appellant, there was no requirement to make the land accessible to the public when other properties within the wider estate were sold off to private owners and local residents did not purchase the land in question despite having offered an opportunity to so. Even so, the site is an important visual amenity, whether or not it is accessible or in private ownership.
8. On the main issue, I conclude that the proposed development would cause significant harm to the character and appearance of the local area. As such, it conflicts with LP Policy ENV1, which requires that new development has regard to the site's context and the character of the surrounding area. It would also be contrary to the National Planning Policy Framework, which states that developments should be sympathetic to local character and add to the overall quality of the area.
9. Once complete, the proposed development would add to the supply of dwellings and widen the mix of housing in the locality, which LP Policy H1 supports. It would make efficient use of the land, which the Council states falls within the defined development limits of Kelleythorpe. A single storey dwelling with an access ramp, as shown on the drawings, would be suited to occupiers that are elderly or less mobile. I note the appellant's view that the proposal would also address problems of vandalism. None of these matters outweigh the significant harm that I have identified.
10. Interested parties raise several additional objections including light, highway safety, privacy, accessibility to local bus services, design, drainage, the lack of an environment study and the potential effect on the existing tree on site. These are all important matters and I have taken into account all of the evidence before me. However, given my findings on the main issue, these are not matters on which my decision has turned.

Conclusion

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

Gary Deane

INSPECTOR