

Appeal Decision

Site visit made on 2 October 2019

by P Eggleton BSc(Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 October 2019

Appeal Ref: APP/G2713/W/19/3224314

Land to rear of 81 - 83 High Street, Great Broughton TS9 7EF

- 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 and Mrs Bowes against the decision of Hambleton District Council.
 - The application Ref 18/00938/OUT, dated 2 May 2018, was refused by notice dated 26 October 2018.
 - The development proposed is a detached dwelling.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the site would represent an appropriate and sustainable location for new development; and the effect on the character and appearance of the area.

Reasons

3. The application was made in outline with access and layout to be considered. The proposal would result in a detached dwelling to the rear of the properties that front onto High Street within the village of Great Broughton. The existing access would be utilised and the dwelling would be situated beyond but adjacent to the existing large yard.
4. The plot is currently in two sections with part of it being a grass paddock whilst the remaining area has single storey timber structures with mobile catering vehicles/trailers parked alongside. I understand that this area and the adjoining yard and building, which is annotated as 'existing shed workshop', have permission for a business use involving the keeping of six mobile catering trailers. A garage for the proposed dwelling is shown within part of the existing shed workshop.

Suitability of the site for new residential development

5. Great Broughton is recognised as being a relatively sustainable location for new development in the Hambleton Local Development Framework Core Strategy 2007 (CS) as it includes a range of services and facilities and is designated as a service village with a development limit boundary. The boundary is drawn just
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to the rear of the High Street houses with the yard, the existing shed workshop and the area proposed for the new house, being outside it.

6. CS policy CP4 and policy DP9 of the Local Development Framework: Development Policies 2008 (DP) advise that housing outside development limits will only be supported when an exceptional case can be made. These policies are not entirely consistent with the National Planning Policy Framework (Framework) as they are overly restrictive in relation to accepting locations where there is good access to services and facilities. The weight I afford to them is therefore substantially reduced as required by paragraph 213 of the Framework.
7. The local services and facilities would undoubtedly benefit from the introduction of additional residents. The new dwelling would generate economic activity during its construction and the new residents would contribute to the economy by their own activities and their use of the facilities. The proposal would however also result in a reduction of commercial activity from this site in the short term and it would appear likely that the economic activity would cease in the future. In this respect, the proposal would not assist in maintaining or supporting the rural economy or minimise the need to travel to employment sites. This must be considered alongside the benefits to the economy of a new house. However, as it would appear that the business may be lost in any event, on balance, the proposal would result in both social and economic benefits overall.
8. In these circumstances, with regard to the principle of new development in this location, the social and economic benefits of a new dwelling would outweigh the conflict with policies CP4 and DP9 and indicate that a decision contrary to those particular development plan policies could be reached. The proposal would also gain some support from the economic and social objectives of CS policy CP1 which requires the efficient use of land and seeks to support the health, economic vitality and social well-being of the area.
9. The Council has adopted Interim Policy Guidance (IPG) in relation to the approach to housing development outside settlement boundaries in light of the requirements of the Framework. The IPG is not part of the development plan but it can be afforded considerable weight given that it is consistent with the Framework and has been the subject of consultation. The scale of the development and its general location accord with the IPG.
10. Overall, the location of a new dwelling on the edge of this settlement and the contribution it would make to both social and economic objectives is generally supported by elements of policy CP1, the IPG and the Framework.

Character and appearance

11. The property currently consists of a large surfaced yard behind the short gardens of the residential properties that front onto High Street. The existing shed workshop represents a large building along the northern boundary. The dwelling would be beyond but adjacent to the eastern extent of the yard and would replace a small grass paddock and a further area that includes timber structures and parked vehicles/trailers.

12. The existing paddocks associated with this site and many other areas of greenery on the edge of this settlement provide a distinct hinterland between the housing and actively managed and more open agricultural land. Even where in-depth development has occurred, this hinterland area, including its grassland, bushes and trees, extends to the sides of the built incursions. As described by the appellant, there is no definitive edge to the settlement. This is an important element of its character.
13. Whilst the surfaced yard and buildings detract from the relatively open area between the houses and the agricultural land, the wider area remains dominated by the greenery of the paddocks and the trees and vegetation beyond. The smaller buildings and the surfaced area cause only limited harm to this hinterland and the setting of the settlement. A house of the proposed scale, aligned parallel to the main street, would be out of keeping in this context and would add to the scale of development associated with the existing shed workshop. Whilst it would replace some existing structures and screen the yard when viewed from the footpath to the rear, these buildings are low key features and the vehicles and trailers have only a limited wider prominence due to their height.
14. The dwelling would have a significant impact with regard to extending and consolidating in-depth development away from the characteristic linear form of buildings along this part of High Street. The retention of such a large yard and the uncharacteristic orientation of the proposed dwelling would be at odds with and would detract from the prevailing character. In this respect, it would represent poor design. The examples of other in-depth developments, particularly the mobile homes to the rear of the Jet Miners Inn, are already at odds with the historic character of the village in this particular location and introducing further in-depth development, particularly when oriented as shown and whilst retaining the existing shed workshop and yard, would consolidate and add to this harm.
15. I find clear conflict with the design elements of CS policy CP1 as the proposal would harm the built environment and would fail to protect the distinctiveness, character, townscape and setting of the settlement. Similarly, it would be contrary to DP policy DP32 which seeks to take into account local character and promote local identity and distinctiveness. It would also be at odds with requirement 2 of the IPG which requires that developments reflect the existing built form and character of the village.
16. The main parties are of the view that the proposal would not result in harm to the conservation area as the dwelling would lie outside its boundaries. I consider that development of this form, particularly if repeated, would result in harm to the setting of the conservation area. It would result in less than substantial harm but I am not satisfied that the public benefits would outweigh this harm. Given my overall findings however, this is not a matter on which my decision would turn.

Other matters

17. The appellants have submitted a completed unilateral undertaking which is intended to reduce the numbers of stored commercial trailers from six to four at any one time. The undertaking also requires that the existing shed workshop

be retained and used ancillary and related to the development as a single planning unit. I have had regard to the undertaking but I find its objectives and terminology to be unclear. A new house in the location proposed would not be acceptable in relation to the continued operation of the business unless it was occupied by the business operator. Whilst it is anticipated that this would be the case, I am not satisfied that the undertaking would secure this. In any event, it would not address my main concerns.

Conclusions

18. The proposal would represent development in a relatively accessible location and it would result in some economic and social benefits, in addition to adding to housing supply. I also note the support offered to the proposal from local residents. I afford great weight to the benefits of using suitable sites within existing settlements for homes as required by paragraph 68(c) of the Framework.
19. The detailed layout fails to adequately take into account the character of the area and would detract from it. It would not take opportunities to reduce the adverse impacts of the existing large yard and building and would unnecessarily result in the loss of undeveloped land beyond the settlement boundary when more efficient use of already developed areas could be made. I find that this layout represents poor design that would detract from the character and appearance of the area. It would also conflict with the design requirements and objectives of the development plan, the IPG and the Framework.
20. Whilst there is support for the principle of new development in this general location, given my concerns with regard to the layout, this proposal would not represent sustainable development. I conclude that the harm that would result to the character and appearance of the area would significantly and demonstrably outweigh the benefits of a single dwelling. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR