
Appeal Decision

Site visit made on 15 October 2019

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th November 2019

Appeal Ref: APP/G2713/W/19/3234387

32 Crabmill Lane, Easingwold North Yorkshire YO61 3DF

- 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 & Mrs Ken and Angela Thornton against the decision of Hambleton District Council.
 - The application Ref 18/00597/FUL, dated 14 March 2018, was refused by notice dated 15 February 2019.
 - The development proposed is erection of a single storey one bedroomed bungalow.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appellant and the Council have confirmed that the plans to be considered as part of the appeal are the amended plans identified by their date of Aug/18. I have dealt with the appeal on this basis.

Main Issues

3. The main issues are the effect of the development on:
 - the character and appearance of the area;
 - the living conditions of future occupiers of the proposed development with particular regard to private outdoor space and the occupiers of 32 Crabmill Lane with particular regard to outlook and private outdoor space; and
 - whether the development would lead to the obstruction of the free flow of traffic as a result of inadequate provision of off-road parking for the host property, No 32 Crabmill Lane.

Reasons

Character and Appearance

4. The area around Crabmill Lane is characterised by a variety of dwelling types with a similar architectural style. Plots are generally set back from the road frontage with enclosed front gardens. The character and appearance of the area is derived in part from the areas of open space, mature trees, low walls,

hedges bordering front gardens and the generosity of the plot sizes which add to the area's sense of spaciousness.

5. The appeal site comprises the former rear garden area of No 32 Crabmill Lane (No 32) which faces Central Avenue; a small cul-de-sac of houses culminating in a garage/parking court onto which the proposed dwelling would face. The proposed bungalow would be an L-shaped building with a pitched roof. Its materials would reflect those of the surrounding buildings.
6. The plot sits between a recently constructed single storey dwelling located within the former rear garden area of No 33 Crabmill Lane (No 33) and a rear garden area to the north. There is a right of way connecting Central Avenue to Crabmill Lane adjacent to the plot. The location of the right of way and a small triangle of land outside the application area encroaches into what would otherwise be a rectangular plot. The angle in the shape of the plot requires the front elevation of the dwelling to be angled because of its proximity to the boundary.
7. The siting, size and design of the proposed dwelling would result in there being little space around it. The small garden area would be narrow and enclosed by the existing properties and fencing. Consequently, the proposed dwelling would appear cramped and contrived within its plot, contrasting with the more spacious character of the surrounding area. This would be evident from Central Avenue and from the adjacent right of way.
8. Further, the depth of the north elevation would be visible from the footpath and adjacent properties and the length and positioning of the front elevation would enclose the street. Together, the buildings depth and length along the frontage would be a discordant feature which would not assimilate with the ancillary nature of the adjacent parking area and garden uses. As a result, the proposed dwelling would be a prominent and intrusive feature in the street scene.
9. Although I have noted the similarities between the proposed development and that of the adjacent plot, the siting of an additional dwelling would consolidate a form of development that would not integrate with its spacious surroundings and as a result would be detrimental to the character and appearance of the area.
10. Consequently, the development would conflict with the requirements of Policies CP1 and CP17 of the Hambleton Local Development Framework Development Plan Document Core Strategy April 2007 (CS) and DP32 of the Hambleton Local Development Framework Development Plan Document Development Policies February 2008 (DP) which collectively require a high quality of design which respects local character and distinctiveness.

Living Conditions

11. The rear elevation of No 32 would face the new dwelling with its rear gable wall on the joint boundary. The whole of the rear area of No 32 would be dominated by the positioning of the new dwelling curtailing the outlook from the rear windows. Because of the height and size of the proposed rear elevation and its placement partially on the joint boundary the development would have an oppressive and enclosing effect on the rear facing windows of No 32. It would also result in an unattractive, less usable outside space for the existing property. As a result of the siting and design of the proposed dwelling, the

development would have an adverse impact on the living conditions of the occupiers of No 32.

12. The external amenity space for the proposed dwelling would be limited to a narrow strip running along the side boundary of the plot and a small space outside the bedroom and lounge served by two sets of patio doors. The amenity space would be enclosed to the south by the adjacent dwelling in the garden of No 33. The amenity space would be dominated by the adjacent building resulting in a small uninviting area that would not be of sufficient size or quality to provide adequately for the outdoor amenity requirements for future occupiers of the dwelling.
13. Consequently, I find that the development would have an adverse impact on the living conditions of No 32 with regard to outlook and private outdoor space and would result in harm to the living conditions of the future occupiers of the proposed development with regard to private outdoor space. The proposal is therefore in conflict with Policy DP1 of the DP which requires that developments must make provision for the basic amenity needs of occupants, must not unacceptably reduce the existing levels of amenity about buildings, particularly dwellings, and must not unacceptably affect the amenity of residents or occupants.

Parking

14. The planning application form states that there would be two parking spaces associated with the proposed development. The location plan indicates that there are three parking spaces within the control of the appellant. However, the drawings do not allocate specific spaces to the existing property and appeal site. It is unclear within the evidence I have before me if the existing bungalow would retain a parking space.
15. The site is located close to the centre of Easingwold the appellant and the Council agree that the site is in an accessible location. There are no parking limitations on the adjacent roads although in places the roads are narrow, and this would limit road side parking. The existing property and the front garden are separated from the road frontage by an open grassed area adjacent to the road and there is no parking within the domestic curtilage.
16. The drawings do not show any retention of access arrangements through the site to the parking spaces at the rear and although there is a right of way into Central Avenue to the north from Crabmill Lane it is unlikely that one would park in Central Avenue whilst visiting the property or taking shopping into the dwelling. However, it would be reasonably convenient for long stay parking.
17. Overall, the severing of the garden from the existing bungalow highlights the inadequacy of the layout in terms of convenience for the existing property to access parking facilities and the lack of convenient off-road parking may lead to minor increase in parking on the street. However, I am not convinced that on-street parking within the area would lead to the obstruction of the free flow of traffic particularly given the lack of parking restrictions on adjacent streets and proximity to Easingwold centre. Therefore, I do not find the lack of off-street parking for the existing property to be determinative in this case or to conflict with the requirements of Policy CP2 of the CS and Policy DP3 of the DP which seek to ensure that sustainable transport is considered as part of development proposals.

Other Matters

18. I note the reference to the appeal decision at No 33. In this case I find that the additional dwelling would harm the character and appearance of the area and the living conditions of the existing and future occupiers of the site. I do not consider this approach to be incompatible with the previous appeal.
19. I note the letters of support for the development and I acknowledge that the new dwelling would be in an accessible location. Further, because of its modest size the dwelling would be likely to be low cost and available to a wider range of occupiers. However, whilst I agree that providing good quality housing in an accessible location is important and should be given some weight these matters are insufficient to outweigh the harm I have identified.

Conclusion

20. Even though I have not found harm to highway safety I have found harm to the character and appearance of the area and living conditions. Thus, on balance having had regard to all other matters the appeal is dismissed.

Diane Cragg

INSPECTOR