

Appeal Decision

Site visit made on 24 June 2020

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 08 July 2020

Appeal Ref: APP/V0728/D/20/3248882

12, Turnberry Drive, New Marske TS11 8HR

- 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 Jason Clark against the decision of Redcar & Cleveland Borough Council.
 - The application Ref R/2019/0678/FF, dated 1 November 2019, was refused by notice dated 3 February 2020.
 - The development proposed is described as a proposed single storey side attached domestic double garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of development contained in the above heading is that set out in the planning application form and excludes any reference to a new driveway and vehicular access. However, these are referred to in both the Council's decision notice and in the appellant's questionnaire form. I am satisfied that these components, alongside the proposed garage formed the basis of the Council's public consultation and decision. Hence the appeal is to proceed on that basis.

Main Issues

3. The main issues are the effect of the proposed garage on:
 - Character and appearance of the area, with particular regard to length, width and proximity to the appeal site boundary and public highway; and
 - Living conditions of neighbouring residents, with particular regard to size and design.

Reasons

Character and Appearance

4. The appeal site comprises a detached dwelling with attached garage which occupies a generous corner plot at the junction between Turnberry Drive and Woodbrook Close. The general pattern of development of this residential estate provides for modest plots, with gardens fronting the public realm tending to be

delineated by a low means of boundary enclosure. Overall, this conveys an important sense of openness and space between buildings.

5. By virtue of its width, the combination of the proposed garage and existing building would represent an extensive expanse of built frontage onto Turnberry Drive. Furthermore, as a consequence of its length, corner positioning and absence of openings, the proposed garage would present itself as an extensive, inactive elevation along Woodbrook Close. Consequently, I find that the resulting garage would not convey the necessary degree of subservience to its host and therefore would not be suitably scaled. This does not resonate with the design guidance contained within the Council's 'Residential Extensions and Alterations SPD (May 2013)'.
6. This would be further exacerbated as the appeal proposal would occupy much of the intervening garden area between its existing side elevation and the public highway serving Woodbrook Close, very close to the junction with Turnberry Drive. As such, it would be situated prominently from vantage points along both streets. The proposed garage would be set in from the side boundary. The separation distance required by the Council's SPD in such instances is an appropriate measure to safeguard the important sense of openness and space characteristic of this particular street scene. The proposed garage would clearly fall short of this.
7. I note that the area of the garden that would be occupied by the proposed garage is already screened in part by high fencing that adjoins the highway. However, I observed that enclosure does not significantly impede the sense of space between the host property and surrounding dwellings. Although the proposed garage would be set behind a high boundary enclosure, this would not sufficiently disguise its presence, to an extent that would mitigate the resulting cramped appearance and undue dominance within the street scene that would arise from its proportions, size and scale relative to its positioning. These impacts would serve to erode the important sense of space and openness that are characteristic of this street scene.
8. For the reasons set out above, I find that the appeal proposal would be harmful to the character and appearance of the area, with particular regard to length, width and proximity to the appeal site boundary and public highway.
9. I find that the examples cited by the appellant are not sufficiently comparable to the appeal proposal in terms of overall scale and juxtaposition and in view of the level and nature of the harm that I have identified, their existence would not serve to justify the imposition of that harm.
10. Policy SD 3 of the Redcar and Cleveland Local Plan (adopted May 2018) states that development will be restricted to suitably scaled extensions to an existing building. Furthermore, Policy SD 4 states development must be designed to a high standard and will be expected to respect the character of the site and its surroundings in terms of its proportions, size and scale amongst other things. Given the harm that I have found, the appeal proposal conflicts with these policies.

Living Conditions

11. The Council has not clearly articulated whose living conditions it considers would be impacted upon by the proposal. Therefore, I have necessarily

made my assessment relative to the size and design of the proposal observed during my site inspection in respect to Nos 1 and 2 Woodbrook Close and Nos 10, 11, 14, 15, 17, 19, 21 and 23 Turnberry Drive.

12. With the exception of No 14 Turnberry Drive, the appeal proposal would meet the Council's prescribed separation distances with neighbouring properties on both streets. As such, I find that in terms of its size and design, the appeal proposal would not give rise to any significant adverse effect, including any overbearing impact upon the future living conditions of occupants of those properties.
13. In terms of No 14, I have noted the single storey nature of the proposed garage. I have also noted the ground floor window in the side elevation of No 14, and the side boundary treatment of these respective properties. Collectively, these particular circumstances lead me to conclude that, although the Council's separation distance between buildings would not be achieved, the proposed garage would not impact upon the ground floor side window or enjoyment of the garden area of No 14, to an extent that would cause unacceptable harm to living conditions.
14. For the reasons set out above, I find that the appeal proposal would not be cause unacceptable harm to the living conditions of neighbouring residents, with particular regard to size and design.
15. Policy SD 4 of the Local Plan permits development where it will not have a significant adverse impact on the amenity of occupiers of existing buildings. In the absence of any harm in this regard the appeal proposal does not conflict with this policy.

Other Matters

16. The Council has not cited the positioning of the proposals relative to highway safety as a reason for refusal. From my site inspection and the evidence before me, I have no reason to disagree with that stance nor the reasons for it. Furthermore, there is no evidence before me that would substantiate the concern that surface water drainage would be problematic. In the absence of any such harm, I do not find any conflict with the development in those regards.

Conclusion

17. For the reasons set out above, the appeal proposal conflicts with the development plan when read as a whole. The harm that I have found in respect to the character and appearance of the street scene is of a nature and degree that is not outweighed by the absence of other harm. Therefore, I find that the appeal should be dismissed.

C Dillon

PLANNING INSPECTOR