



Appeal Decision

Site visit made on 16 June 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 July 2020

Appeal Ref: APP/G2713/W/20/3245965

38 The Holme, Great Broughton, North Yorkshire TS9 7HF

- 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 Stewart Williamson against the decision of Hambleton District Council.
 - The application Ref 19/02067/OUT, dated 1 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is Outline application for the erection of a single dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of the development has been amended by the Council and described as, Application for outline permission with all matters reserved for the construction of a dwellinghouse. I concur that this accurately describes the proposal.

Main Issue

3. The main issue is whether or not the development has an effect on the character and appearance of the area.

Reasons

4. The appeal site is the large mature domestic garden to the rear of No 38 The Holme. The garden is slightly elevated from the access road of The Holme due to its location forming part of the valley sides. This proposal seeks permission in outline for a new detached dwelling with all matters to be considered at reserved matters stage.
5. The site is outside the designated development limits of Great Broughton. Policy CP4 of the Hambleton District Council Local Development Framework Development Plan Document Development Policies 2008 (DPD) explains, in brief, that development beyond settlement limits is only permitted in exceptional circumstances. The appellant does not claim there are any exceptional circumstances to support the proposal.
6. However, as part of the assessment of the proposal, the Council also refers to its adopted Interim Policy Guidance 2015 Settlement Hierarchy and Housing Development in the Rural Areas (IPG). This guidance provides some flexibility

to permit small scale housing development outside the settlement hierarchy in order to support the sustainability of rural communities where it contributes towards achieving sustainable development, and is also subject to meeting six criteria. The Council comment that this IPG has been produced to provide consistency with the National Planning Policy Framework (the Framework), and adopted DPD policy.

7. In essence, the six criteria of the IPG requires development; to be located where it will support local services; small scale development that reflects built form and character of the village; must not detrimentally impact on the natural, built and historic environment; must have no detrimental impact on the open character and appearance of the surrounding countryside; must be capable of being accommodated within the capacity for existing infrastructure; it must conform with all other relevant LDF policies.
8. There is no dispute between parties that the proposed development would support local services and it would be small in scale. It would neither have a detrimental impact on the natural, built and historic environment. It would also meet the requirements of criteria 5 of the IPG. I have no reason to disagree with the Council's findings in these matters.
9. In respect of existing built form and character in this location, development broadly flanks the valley sides and along the west side of The Holme, the pattern of housing development sits in close proximity to the road. In locations where dwellings are positioned behind the frontage, they consist of a single dwelling only, that shares a close relationship with the dwelling in-front. The remaining land behind to the west is largely undeveloped open gardens with agricultural fields behind.
10. This overall pattern of development and open space contributes to the distinct character and identity of the area. Policies DP10, CP17 and DP32 of the DPD in essence, seeks development to take account of local identity, respect the local context and character of the area and contribute towards achieving a high quality design.
11. The proposal would introduce a new built feature outside the development limits, separate from the established pattern of development here. In this location, it would appear as an incongruous feature as it would not respect its context as it would extend development further away from this built pattern. A proposed dwelling in this location would therefore not reflect the existing built form or the character of the village and would thus not respect and enhance the local context according to the requirements of Policies DP10, CP17 and CP32 of the DPD. It would also not meet criteria two of the IPG to reflect the excising built form and character of the village.
12. From my visit to the area, I was aware that there is an open character and appearance to the adjacent gardens and countryside to the west. Policy CP16 of the DPD aims to preserve the District's natural assets and DPD Policy DP10 focuses on the identity and character of settlements and to respect these qualities.
13. The existing garden of No 38 takes on an open characteristic given its setting and is free from development other than the outbuilding. Although in this location, it may be surrounded by mature landscaping and may not be widely visible from the public domain, this proposal would encroach into part of the

garden space and result in the erosion of the landscape setting. This would have a harmful effect on the character and appearance of the surrounding countryside, as well as the settlement and would thus run contrary to DPD policies DP10 and CP16 and criteria 2 and 4 of the IPG.

14. A dwelling in this location would not correspond with the location of the dwelling at No 28 The Holme as it would sit further behind the position of this dwelling. Another comparison dwelling the appellant cites is that of No 18 The Holme, although the Council confirm that houses set behind frontages to the north are within the development limits of Great Broughton, and I have no reason to dispute this. The location of the proposed dwelling would further emphasise its discordant nature.
15. The appellant refers to a development at Annaclay Farm close to the appeal site for a new dwelling that has been granted planning permission in outline¹. However, upon reading the submitted Council's Committee Report of 8 February 2018, the approved dwelling here replaces buildings that are already in existence, and is thus not the same circumstances as this appeal proposal. Furthermore, the Council confirms within their Statement of Case that it would replace an 'ugly and utilitarian building', and this is not contested by the appellant. The Council came to the view that a development in outline would not have an impact upon the open character of the surrounding countryside. Taking account of the information before me, I am therefore not of the view that the two sites are comparable.
16. There are no exceptional circumstances to justify the proposal and it is therefore contrary to Policy CP4 of the DPD. Furthermore, it would conflict with DPD Policy CP16 in its aims to support development that preserves and enhances the District's natural assets, as well as Policies CP17 and DP32 that seeks to achieve a high quality of design of both buildings and landscape, amongst other considerations, as well as Policy DP10 to respect the qualities of open areas that contribute to identity, amongst other matters. The proposal would also conflict with the Framework paragraph 127 that, in particular seeks development to add to the quality of the area, and is sympathetic to local character, as well as other considerations.

Other Matters

17. I have had regard to the appellant's argument that the proposal should be assessed in light of the Framework. The most up to date Framework document dates from February 2019. Whilst I have had regard to paragraph 38 in respect of decision making, and paragraph 78 that specifically includes for housing to be located where it will enhance or maintain the vitality of rural villages, these objectives do not lead me to form a view that they outweigh the harm I have identified.
18. I am aware of the letters of representation received to the proposal, although as I am dismissing the appeal, no further comments to address matters not covered within this decision letter are required.
19. Irrespective of no objections raised to the proposal from a highway safety or neighbouring living conditions perspective, this does not lead me to a different view.

¹ Application reference 17/02207/OUT

Conclusion

20. The proposal has been assessed on its effect on the character and appearance of the settlement as well as the wider area, and I have found it would result in a harmful effect on both. On this basis the appeal is dismissed.

Alison Scott

INSPECTOR