



Appeal Decision

Site visit made on 11 August 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 September 2020

Appeal Ref: APP/G2713/W/20/3252860
Lyndhurst, 8 Sutton Road, Thirsk YO7 1DJ

- 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 Kevin Baker of K Baker Design & Development Ltd against the decision of Hambleton District Council.
 - The application Ref 20/00331/FUL, dated 16 February 2020, was refused by notice dated 27 April 2020.
 - The development proposed is New 1½ storey 3 bedroomed dwellinghouse with external areas to rear 8 Sutton Road Thirsk.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The emerging Hambleton District Council Local Plan is subject to Examination in Public. This is yet to occur and therefore this emerging plan is afforded limited weight in the consideration of this appeal.
3. The description of the proposal has been amended by the Council and is described as 'Construction of a dwellinghouse, associated parking and new access to the highway' and I concur that this accurately describes the proposal before me.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

5. The appeal site is a detached two storey dwelling on the north side of Sutton Road close to the local services of Thirsk, with the large rear garden surrounded on all sides by residential dwellings. A dormer bungalow of three bedrooms is proposed in this space with vehicular access taken from the east side of the main dwelling and west of No. 9 Sutton Road.
6. The area is mixed of house type and character. Built development is however arranged largely with dwellings fronting a main road or within a cul-de-sac layout.

7. There is a strong building line to this part of Sutton Road. A dwelling in this back land location would have no road frontage. It would create new built development within a back garden on a new and discordant building line. The location of such in the rear garden would not relate to or respect local character or distinctiveness, but would appear incongruous and out of character.
8. Although a dwelling would not be clearly seen in views from outside the site other than from the surrounding dwellings, it would nonetheless not enhance the local character, in line with the aims of Policy CP17 of the Hambleton District Local Development Framework Development Plan Document 2007, or promote high quality design.
9. Although it may be located within the settlement limits of Thirsk and close to local amenities and services and the effect on the living conditions of neighbours and no highway concerns raised by the Council, however, whilst these matters may weigh in favour of the proposal, it does not overcome the unsympathetic nature of the development.
10. The proposal would distort the building line and appear out of context with the area and harmful to its character and appearance. It would be contrary to the design aims of Policies CP17 and DP32 of the Hambleton District Local Development Framework Development Plan Document 2007.

Other Matters

11. The Council may have adopted guidance that emphasises the local need for bungalow development and two and three bedroom homes, however this need alone does not outweigh the harm I have identified.
12. Whilst there may be bungalows located at Hambleton Close, these are not back land development and is a planned development and cannot be considered as the same circumstances as this appeal site. Willow Mews (not Willow Court as described in the Statement of Case) is modern development of dwellings and is located off an existing housing development. It is not a back land garden plot for one dwelling and therefore does not share the same characteristics as the appeal site. Neither of the examples brought to my attention are directly comparable and I apply limited weight to these.
13. Despite the letters of support received to the proposal, I do not find in favour of the development.
14. The appellant has drawn my attention to a number of policies from the emerging LP including Policies HG1, HG2, E1 and E2. I accept the need to direct new housing to within settlement limits, the recognised need for more bungalow development, the contribution of windfall housing, however I reason that the contribution of one bungalow is limited. I also acknowledge that development should be of good design and create acceptable living conditions, however, for the reasons I have identified earlier, this proposal would not be considered as harmonious within this location and would result in harm arising to the character and appearance of the area. The limited benefits that would arise would not outweigh this harm.

Conclusion

15. For the reasons given, the appeal is dismissed.

Alison Scott

INSPECTOR