



Appeal Decision

Site visit made on 16 February 2021

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 March 2021

Appeal Ref: APP/E2734/W/20/3253190

Land adjacent to 22 The Oaks, Masham HG4 4DT

- 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 A Stelling Building Contractor Ltd against the decision of Harrogate Borough Council.
 - The application Ref 19/04554/FUL, dated 23 October 2019, was refused by notice dated 18 February 2020.
 - The development proposed is described as Single storey hipped roofed dwelling 12m long x 6.6m wide, 3.8m ridge height, 2.55m eaves height.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Harrogate District Local Plan 2014-2035 (LP) has been adopted in March 2020 and therefore I apply full weight to its policies. Policy NE5 of the LP is therefore relevant to this appeal.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the street scene.

Reasons

4. The appeal site is an undeveloped parcel of land situated between the two-storey semi-detached dwelling of 22 The Oaks and the rear elevations of a row of bungalows. The area consists of a tight grain of residential development of short terraces of houses and semi-detached two-storey houses, as well as bungalows. A unifying characteristic here is the consistent use of facing red brick or yellow stone cladding.
5. The proposed development would be designed as a bungalow set in a rectangular layout with the shortest of the sides positioned to the front elevation facing the main estate road.
6. The proposed footprint would not correspond with the footprint or the proportions of the adjacent bungalows to which it would share a close relationship. As it would be positioned between two larger and differing styles of properties, in this context and given its narrow plot, would only serve to emphasise its altogether more 'pinched' appearance.

7. The differing hipped roof heights would also result in the development jarring with this adjacent vernacular and nor would it follow the established fenestration pattern of the bungalows or distinguishing irregular front building line. As a consequence of these particular elements and acute differences, it would result in development that would be out of character with the adjacent bungalows, and would only seek to emphasise its discordant appearance.
8. The single bungalow of 49 The Oaks has been identified as a comparison to the appeal proposal. This dwelling occupies a much wider street frontage to the appeal site and is a different scale and is positioned in a considerably larger plot, and orientated in a different direction. The roof style and fenestration patterns and position of the front door is not the same. It does not compare to that of the appeal proposal.
9. Irrespective of the variety of built form within The Oaks and the other surrounding housing developments brought to my attention, the proposal would not harmonise with the immediate area where there are no examples of other development that shares the same circumstances as the proposal before me. It would result in an incongruous form of development that would lead to detrimental harm arising to the character and appearance of the street scene.
10. Therefore, to conclude, the proposal would not make a positive contribution to the street scene and would result in harm arising to the character and appearance of the area. It would therefore conflict with LP Policy HP3 and Policy NE5 of the Harrogate District Local Plan in their combined aims to achieve high standards of design and local distinctiveness.

Other Matters

11. The acceptability of a dwelling within the settlement limits is not in dispute, although the addition of one housing unit would be a very limited contribution to the Borough's housing stock, as well as any economic benefits that it would bring. I apply limited weight to these factors.
12. I do not concur with the appellant that the land is 'unsightly', and whilst it may be described by the appellant as underused, that its not to say that an alternative development could not be found.

Conclusion

13. For the reasons set out and taking all matters into consideration, the appeal is dismissed.

Alison Scott

INSPECTOR