



Appeal Decision

Site Visit made on 1 June 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th June 2021

Appeal Ref: APP/C2741/W/21/3269998

1 Corner Close, Wigginton, York YO32 2QB

- 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 Lee Daker against the decision of City of York Council.
 - The application Ref 20/00973/FUL, dated 25 May 2020, was refused by notice dated 14 December 2020.
 - The development proposed is described as "construction of a one bed single storey dwelling suitable for first time buyers or retirement".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

3. The appeal site comprises part of the side garden of 1 Corner Close, a semi-detached bungalow located on the corner of Corner Close and Helmsley Grove. The appeal site lies within a residential area of mainly semi-detached dwellings. The dwellings in close proximity to the appeal site are single storey in height, with the dwellings located on the southern part of Corner Close and Helmsley Grove being 2 storeys. The dwellings have a relatively consistent design and plot size, although the dwellings occupying corner sites generally have a larger plot size.
4. The location of the proposed development within the appeal site would not sit comfortably in the street scene. The proposed development would reduce the gap between the properties at 1 Corner Close and 87 Mill Lane such that the visual separation between these 2 properties would be substantially reduced. This would result in a development that would appear visually cramped. The small size of the plot proposed would also contribute to the appearance of a visually cramped development. As a result, the proposed development would appear as an incongruous feature within the street scene and would harm the open character of the street scene in this location. Landscaping would not adequately mitigate this.
5. Furthermore, the design of the proposed dwelling, with its steep roof pitch and narrow width would be in marked contrast to the neighbouring bungalows which present a wider frontage to the street and have a more horizontal emphasis. This would further emphasise the fact that the proposed

development would be out of keeping with the character and appearance of the area.

6. I therefore find that the proposed development would be significantly harmful to the character and appearance of the area. As such, it would be contrary to Policy GP1 of the City of York Draft Local Plan Incorporating the 4th set of changes Development Control Local Plan 2005 (DCLP) which requires development to respect or enhance the local environment amongst other matters. It would also be contrary to Policy GP10 of the DCLP which allows for the subdivision of garden areas only where this would not be detrimental to the character and amenity of the local environment. The proposed development would be contrary to Policy D1 of the City of York Publication Draft Local Plan 2018 (PDLP) which states that development proposals that cause damage to the character and quality of an area will be refused.
7. Neither of these documents have been formally adopted as part of the development plan. However, the overall aim of Policies GP1 and GP10 of the DCLP are to promote high quality design and to respect or enhance the character of the local environment which are consistent with the overall aims of the National Planning Policy Framework (the Framework). Consequently, I have afforded them limited weight in this case. The PDLP has been submitted for examination. I have also afforded limited weight to Policy D1 of the PDLP.
8. The proposed development would also be contrary to paragraph 127 of the Framework which aims to ensure good design and that developments are sympathetic to local character, amongst other considerations.

Other Matters

9. The appellant has drawn attention to several policies as well as paragraphs in the Framework that the proposed development accords with. Although the proposed development may be consistent with certain policies and paragraphs identified by the appellant, including sustainable construction and the use of renewable energy, this does not outweigh the significant harm that I have identified to the character and appearance of the area.
10. The proposed dwelling would contribute to the supply and mix of housing in the area, and I am mindful of the Government's objective of significantly boosting the supply of homes as referred to in the Framework. However, the contribution made by a single dwelling would be very limited, as would any support for local amenities, services or industries, and would not outweigh the harm to the character and appearance of the area.
11. The appellant has drawn attention to other dwellings in the area that have a small plot size. The examples given are not corner plots and in my view the plots sizes of these dwellings do not appear out of keeping with the street scene nor do the dwellings appear incongruous as a result. I cannot therefore draw any direct comparison with the proposed development that would weigh in its favour. Accordingly, I give these examples very limited weight.
12. The appellant states that occupiers of neighbouring properties would not be overlooked, and the appeal site is not subject to flooding. Concern has been raised about the potential to increase on-street parking. I observed that there was some use made of on-street parking, but this was limited. Off-street parking provision is included as part of the proposed development. I note that

the Highways Authority offered no objection to the proposed development. I therefore have no reason to conclude that on-street parking would materially increase as a result of the proposed development. However, these are neutral factors and do not outweigh the harm that I have identified to the character and appearance of the area.

Conclusion

13. The proposed development would significantly harm the character and appearance of the area, conflicting with Policies GP1 and GP10 of the DCLP, Policy D1 of the PDLP and paragraph 127 of the Framework. Whilst I have considered all matters in support of the proposed development, I conclude that these benefits do not, individually or cumulatively, outweigh the harm I have identified to the character and appearance of the area. For the above reasons, having taken account of all relevant material considerations, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR