
Appeal Decision

Site visit made on 10 October 2016

by Claire Searson MSc PGDip BSc (Hons) MRTPI IHBC

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18th October 2016

Appeal Ref: APP/H1033/W/16/3152629

Land adjacent to 61 Lower Lane, Chinley, Derbyshire, SK23 6DB

- 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 Ms Julia Mycock against the decision of High Peak Borough Council.
 - The application Ref HPK/2015/0632, dated 30 October 2015, was refused by notice dated 15 April 2016.
 - The development proposed is erection of a pair of semi-detached dwellings and improvements to existing access to highway.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council's Decision Notice makes reference to Policy EQ5 of the High Peak Local Plan 2016 (LP), however it is confirmed that this was quoted in error as the numbering of the policies was changed during the process of adoption of the LP. The correct reference is Policy EQ6. Parties are aware of this issue and therefore would not be prejudiced by my determination of the appeal against LP Policy EQ6.

Main Issue

3. The main issue is the effect of the proposal upon the character and appearance of the area.

Reasons

4. The appeal site is an open and vacant area of land located to the western side of No 61 Lower Lane. There is a single storey outbuilding to the front of the site along the pavement edge, as well as a small stone built wall forming the boundary. No 61 is a detached single storey dwelling which is set back from the road. There is an existing access leading from Lower Lane providing off-street parking for the occupants of No 61.
 5. Development in the immediate area comprises of a mix of detached and semi-detached dwellings of different sizes and heights. However, in general these are set in reasonable sized plots. In comparison, the appeal site is constrained in terms of its overall plot size in respect of its proposed development for 2 semi-detached dwellings.
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6. Consent has previously been granted at the site for a single detached dwelling and, while no drawings have been provided, it is understood that the proposed dwellings have a smaller footprint than the approved scheme, with a similar area of hardstanding. However, the proposed dwellings would host two separate households, with separate private gardens and other associated domestic paraphernalia. Furthermore, the development would be likely to bring about the need for a greater number of vehicles parking on the site in order to serve the separate dwellings.
7. Therefore, in spite of the similarities in footprint, the proposed development would give rise to a materially greater form and intensity of development than the approved scheme, having an urbanising effect.
8. While I accept that the resultant separation distances between the development and Nos 61 and 63 would be similar to such distances between dwellings achieved elsewhere in the locality, these dwellings are generally sited in larger and more spacious plots. In comparison, the overall scale of the appeal site is small and consequently the proposals would have a visibly cramped appearance within the street scene which would be at odds with the general, more spacious character of the area, causing harm.
9. Moreover, I am not persuaded that this effect would be overcome to any great degree by the proposed landscaping in respect of the provision of a front garden area and the use of grasscrete to soften the appearance.
10. I note the appellant's longstanding local connections and the support from the Parish Council and neighbouring properties, however these are not considerations that would outweigh the harm caused by the development.
11. I therefore conclude that the proposals would represent an incongruous form of development visible within the street scene which would cause harm to the character and appearance of the area. This would be in conflict with LP Policy EQ6 which requires that development contributes positively to an area's character, history and identity in terms of scale, height, density, layout, appearance, materials, and the relationship to adjacent buildings.

Conclusion

12. For the reasons above, taking into account all other matters raised, I dismiss the appeal.

C Searson
INSPECTOR