

Appeal Decision

Site visit made on 20 June 2017

by Katie McDonald MSc MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/C1055/W/17/3169853

Land Between 164 and 176 Derby Road, Spondon, Derby DE21 7LU

- 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 Dan Stack of Chevin Homes Limited against the decision of Derby City Council.
 - The application Ref DER/10/16/01283, dated 24 October 2016, was refused by notice dated 2 February 2017.
 - The development proposed is the erection of six dwellings.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council have advised that they no longer wish to defend their second reason for refusal, as the trees and hedges on site have been felled after the planning decision was made. I therefore do not address this matter in the reasoning below.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the surrounding area, with specific reference to the 'green wedge'.

Reasons

4. The appeal site is a rectangular, undeveloped parcel of land which sits between 164 and 176 Derby Road. The grassed site slopes gently upwards to the north and there is a public right of way to the east. Derby Road is a busy main road, being part of the A6005. Directly surrounding the site are residential dwellings to the east and west, open greenfield land to the north; and a mixture of commercial sheds, notably an Asda, a public house and some dwellings to the south. Directly to the front of the site is a bus stop and signalled pedestrian crossing.
5. The appeal proposal comprises six semi-detached dwellings, being two stories in height, sited to face south onto Derby Road. One access from Derby Road to a private drive is proposed, which would serve all of the dwellings.
6. The appeal site is allocated as a 'green wedge', under Policy CP18 of the Derby City Local Plan - Part 1: Core Strategy (January 2017) (CS), its function being to define and enhance the urban structure of the city as a whole, in particular by reinforcing local identity by maintaining areas of open land between the

City's neighbourhoods. Development within a 'green wedge' is limited to seven permitted uses; none of which the proposal would fall under. Therefore, in accordance with the CS, permission for this scheme should be refused unless material considerations indicate otherwise.

7. From my site visit, it was apparent that the appeal site is a valuable and important gap, which acts as a relief from the urban built form along Derby Road. It allows the countryside to infiltrate this setting, establishing a distinction between town and country. The site achieves its intended function as a 'green wedge' to define and enhance the urban structure and provide an uninterrupted link to the countryside and wider 'green wedge' allocation northwards.
8. The proposal would remove the distinct and significant gap on Derby Road, with the result of combining the existing ribbon development of housing. Consequently, the visual break and relief that is gained from the existing 'green wedge' would be lost and replaced by an urban built form, increasing the perception, to those using the road, of the coalescence of Spondon and Chaddesden. Whilst the dwellings would be semi-detached, and glimpses of the countryside may be viewed through, the physical development of this site and the loss of openness would harmfully undermine the crucial function of the 'green wedge' allocation at this significant point.
9. Thus, the proposal would detrimentally affect the open and undeveloped character of the site, with consequential harm to the character and appearance of the area. As such, the scheme would fail to comply with Policy CP18 of the CS, which seeks to define and enhance the City's urban structure and provide an uninterrupted link to the countryside, and saved Policies GD5 and H13 of the City of Derby Local Plan Review, which seek to ensure that developments have an acceptable impact upon amenity and local character.

Other Matters

10. I note that the site would have the rear boundary in line with the existing properties on Derby Road, and could be assumed to be contained within well-defined and logical boundaries; and that the site offers sustainability advantages. However, its adverse impact upon the function of the 'green wedge' is such that I have found significant harm from the proposal.
11. Whilst notably a larger scheme for 125 dwellings incorporating this site, a previous Inspector's decision (APP/C1055/W/15/3132386) found that the adverse impacts upon the 'green wedge' would significantly and demonstrably outweigh its benefits in relation to the contribution towards the (then) lack of a five year housing supply.
12. I note that the appellant considers that the site makes only a limited contribution to the more extensive area of 'green wedge' and that, in their view, it should be positively considered as a part that could be lost to housing. The Council have confirmed that as part of their Green Wedge Review (2012), the site was considered to form a fundamental part of the Green Wedge such that its loss would be harmful to the role and function of the Green Wedge. Furthermore, during the Examination of the CS, the site was considered as an 'omission' site. The examining Inspector referred to the appeal decision above (APP/C1055/W/15/3132386), and concluded with the previous Inspector that

the openness of the site was crucial to the function of this part of the Green Wedge. In light of my findings above, I also concur.

13. The Council have identified that they have a current housing supply of 5.35 years with the recent adoption of the CS; this is accepted by the appellant. Whilst the proposal would contribute to overall housing supply, the significant harm identified to the erosion of the 'green wedge' outweighs the moderate benefit of six dwellings.

Conclusion

14. Having had regard to all other matters raised, and for the reasons above, I conclude that the appeal should be dismissed.

Katie McDonald

INSPECTOR