



Appeal Decision

Site visit made on 14 August 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 September 2019

Appeal Ref: APP/P1045/W/19/3230145

Land between 1-2 Beresford Avenue, Ashbourne DE6 1FW

- 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 Jill Tomlinson against the decision of Derbyshire Dales District Council.
 - The application Ref 19/00086/FUL, dated 18 January 2019, was refused by notice dated 1 April 2019.
 - The development proposed is a dwellinghouse.
-

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 proposed development is located in a residential area on the edge of Ashbourne which is characterised by semi-detached and terraced brick houses of a similar simple style, set back from the road with relatively long back gardens. The appeal site is located at the turning head of a cul-de-sac on land that formerly formed part of the garden of 71 Park Avenue.
4. The proposed development is for a detached two storey dwelling. It follows a previous application for a similar development which was refused planning permission by the Council and was subsequently dismissed on appeal on 9 May 2018 (appeal ref APP/P1045/W/17/3191082). In this revised scheme the appellants have sought to address the previous Inspector's findings through a change in the design and height of the proposed house.
5. One of the previous Inspector's main concerns was that the smaller plot size, including frontage and depth, would contribute to the proposed development having a cramped appearance. The appellant has not sought to amend the scheme in response to this although I note their comment that the proposed house would sit in a 24 metre wide undeveloped plot between 1 and 2 Beresford Avenue (No 1 and No 2). I accept that the footprint of the proposed house is comparable with others around and that gaps would be retained between it and the neighbouring properties. However the presence of the large trees on the boundary with No 2 together with the need for the proposed house

- to be cut into the plot due to the level change would nonetheless contribute to the proposed house appearing cramped within the plot frontage.
6. The plot depth of the appeal site is significantly less than that of the majority of houses in the area. The proposed house would be set back which, as noted by the previous Inspector, would provide some relief when viewed from the street. However the drop in level from Park Avenue down towards Beresford Avenue means that the proposed dwelling would be viewed against the backdrop of the higher houses at the rear which, given the limited plot depth, would appear cramped. This would be out of character with the surrounding area which has a sense of spaciousness as recognised by the previous Inspector. I note also the Council's comments about the layout of the 'Park Estate' with an appropriate balance of buildings and open areas. I consider that the proposed development, which reflects those around it in terms of scale and footprint but is located on a significantly smaller plot would cause harm to the character of the area.
 7. The previous Inspector described the development then proposed as having a squat appearance and found that it would be distinctly at odds with the character and appearance of neighbouring dwellings. The appellants have sought to address these concerns by increasing the ridge height, providing a larger, less foreshortened roof plane and substituting the small first floor window over the front door with a larger one which matches the other first floor window in height.
 8. I agree that these changes would improve the proportions of the proposed house, reducing the strong horizontal emphasis and squat appearance identified by the previous Inspector. The ridge and eaves heights of the proposed development would now be consistent with No 1, although in part this would be due to the raised ground level, as the floor to ridge height would still be less. The overall ridge height would still be lower than No 2 which, as noted by the previous Inspector, has a prominent role in the street. However, the harm previously identified would be reduced by the changes proposed to the scheme including the increased ridge height. Overall, I consider that whilst the proposed house would still appear somewhat squat compared with the surrounding houses, its appearance compared with others in the street would now be acceptable.
 9. Notwithstanding the improvements to the appearance of the house, I conclude that the proposed development would still appear cramped and, for the reasons given, would cause harm to the character and appearance of the area. The proposal would fail to comply with Policy S3 a) of the Derbyshire Dales Local Plan 2017, which requires development to be compatible with local character, appearance and amenity. It also fails to comply with the requirements for design and layout set out in Policy PD1 and section 12 of the National Planning Policy Framework.
 10. For the reasons set out above the appeal is dismissed.

Rosie Morgan

INSPECTOR