



Appeal Decision

Site visit made on 22 August 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14th November 2019

Appeal Ref: APP/H1033/D/19/3229073

Lochaber, Start Lane, Whaley Bridge SK23 7BP

- 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 John Matthew Marchington against the decision of High Peak Borough Council.
 - The application Ref HPK/2019/0035, dated 23 January 2019, was refused by notice dated 3 April 2019.
 - The development proposed is demolition of existing pre-fabricated garage and construction of replacement garage.
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Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing pre-fabricated garage and construction of replacement garage at Lochaber, Start Lane, Whaley Bridge SK23 7BP in accordance with the terms of the application, Ref HPK/2019/0035, dated 23 January 2019, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1829/03C, 190301 (revised location and site plan).
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing house.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the neighbouring occupiers, with particular regard to noise and disturbance.

Reasons

3. The proposed garage would be constructed adjacent to the rear garden of a new house, Tean. This would result in cars needing to drive for a longer distance alongside the boundary of the rear garden of Tean than they do at present. Furthermore, a raised grassed area and a strip of planting adjacent to Tean's garden wall would be removed where the proposed development would be sited.

4. That said, it is not unusual for drives to dwellings to be situated alongside the boundaries of neighbouring dwellings and the amount of vehicular movements for one dwelling would be very small. Furthermore, given the small distances between the current and proposed garage I do not consider that the degree of noise or disturbance experienced by the occupiers of the neighbouring property would be materially increased. I consider the garage is too far away from Glenariff to adversely affect the occupiers of it.
5. I conclude that the proposed development would not cause unacceptable harm to the living conditions of neighbouring occupiers as a result of noise or disturbance. I consider that the development accords with Policy EQ 6 of the High Peak Local Plan 2016 which requires, amongst other considerations, that development achieves a satisfactory relationship to adjacent development and does not cause unacceptable effects on local character and amenity. The proposal also complies with guidance contained in both the High Peak Design Guide SPD 2018 and the Residential Design SPD 2005, and is consistent with section 12 of the National Planning Policy Framework concerning with high quality design.

Other Matters

6. The Council is concerned that the siting of the proposed garage does not visually relate well to Lochaber and that it would look better if it were to the east, further away from Glenariff and Tean. I consider that the proposed siting, which is immediately adjacent to the steps leading to the front entrance of Lochaber, does relate appropriately to the host dwelling. It would be tucked in close to existing buildings and as such would not cause harm to the open character of the area.

Conclusion

7. For the reasons given the appeal should succeed and planning permission granted subject to conditions that are necessary in the interests of certainty and safeguarding the character and appearance of the area.

Rosie Morgan

INSPECTOR