



Appeal Decision

Site visit made on 2 June 2020 by Andreea Spataru BA (Hons) MA

Decision by Richard Clegg BA(Hons) DMS MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2020

Appeal Ref: APP/H1033/W/19/3243776

Manor Farm, Unnamed Road from A515 to A6, Cowdale SK17 9SD

- 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 Andrew Smith against the decision of High Peak Borough Council.
 - The application Ref HPK/2019/0117, dated 11 March 2019, was refused by notice dated 24 June 2019.
 - The development proposed is a new dwelling to footprint of original farmhouse.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are:
 - whether the proposal would be in a suitable location for housing, having regard to the accessibility of services and facilities, and to the effect of the development on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of the occupiers of neighbouring property, with particular regard to outlook and overshadowing.

Reasons for the Recommendation

Location & Character and appearance

4. The appeal site relates to a rectangular parcel of land located within the confines of Manor Farm, within the countryside. The land is bounded to the east by the existing farmhouse, to the rear by existing stables and to the west by open fields. The front boundary of the site consists of a low stone wall with a wooden fence behind, a hedgerow and other vegetation.
 5. The site lies within the 'Plateau Pastures' Landscape Character Area (PPLCA). The PPLCA is a gently rolling plateau characterised by dry stone walls, simple
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and functional buildings with little detailing, and open and expansive views. Development within this area comprises a scattering of dwellings and farm buildings, outside the main built up area of Buxton.

6. The appeal site contains the remaining walls of a previous building. The walls have a low height and form an approximately square shape. They appear to be constructed from breeze blocks, with stone to the exterior. Whilst they are partially visible from the road, given their low height and stone appearance, they are well blended within the rural landscape.
7. The proposal seeks to construct a detached, two storey, pitched-roofed dwelling on the footprint of the remaining walls. The application form indicates that these walls are the remains of the original farmhouse. Subsequently, based on the evidence outlined within the appeal statement, the appellant argues that the new dwelling would be built on the footprint of two semi-detached dwellings at Manor Farm. The proposed dwelling would have a vehicular access to the front along with private drive and off-street parking spaces, and a garden to the rear.
8. Policy S3 of the High Peak Local Plan (LP) sets out housing requirements for the borough and states that they will be met from large sites allocated in policy H2 and in the Chapel-en-le-Frith Neighbourhood Plan and from small sites which accord with policy H1. Policy EQ3 of the LP seeks to ensure that new development outside the settlement boundaries is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness. Policies EQ2 and EQ6 of the LP also require new development to be sympathetic to the distinctive landscape characters areas, as identified in the Landscape Character Supplementary Planning Document (SPD), and to contribute positively to an area's character in terms of scale, layout, appearance and relationship to adjacent buildings and landscape features.
9. The proposed dwelling would be located next to the existing farmhouse. Its footprint would be determined by the existing walls; thus, it would have a significantly narrower frontage than the existing farmhouse and an overall form that is not characteristic of the area. It would also fail to respect the building line of the farmhouse, as it would project significantly beyond the front elevation of the farmhouse. Whilst the dwelling would use traditional materials and finishes and would have a chimney stack, it would represent an uncharacteristic addition and a prominent intrusion within the local landscape. Moreover, it would further consolidate development in a location where development is scattered and sporadic in character, which would be harmful to the rural character and appearance of the area.
10. I have taken into account the evidence provided by the appellant with regard to the history of the site. Notwithstanding the records and remains of the former structure, the remaining walls have been well incorporated into the landscape and their presence does not justify the introduction of a new dwelling that would have an adverse impact on the character and appearance of the area.
11. Policy EQ3 of the LP sets out the basis for the control of rural development outside of settlement boundaries, and provides a list of the forms of residential development which would be acceptable. One of them is the redevelopment of a previously developed land, where it does not have an adverse impact on the character and appearance of the countryside. Whether the appeal site can be

considered previously developed land is a matter of dispute between the main parties. Nevertheless, even if the site were to be regarded as previously developed land, given my findings above regarding the impact of the development on the character and appearance of the area, the proposal would fail to comply with this criterion of Policy EQ3 of the LP.

12. The final criterion of Policy EQ3 refers to development in accordance with Policy H1 of the LP, which requires new dwellings to be in a sustainable location and to comply with a list of criteria. The development would not adjoin the built-up area and would not be well related to the existing pattern of development. I note that the distance between the site and the built-up area is not significant, and that there are bus stops within 0.64km from the site. However, the appeal site is located on a single-track road, with no footpaths or street lighting, thus walking or cycling would not be attractive options. There are good links by road to the nearby settlements and the extent of vehicular trips from the appeal site to reach services and facilities in nearby settlements would be relatively short. The appellant indicates that the site is also less than 1.6km from the nearest shop, school and hospital. However, the site is not in the optimum location to maximise the use of walking, cycling and public transport to meet daily needs and residents would be likely to be dependent on the use of a private car.
13. Paragraph 103 of the National Planning Policy Framework recognises that opportunities to maximise sustainable transport solutions vary between rural and urban locations.
Whilst the number of journeys generated by the occupiers of a single dwelling would be relatively small, the proposal would be contrary to the aim of Policy H1 of the LP to direct new housing towards the more sustainable sites.
14. The appellant has referred to a 450 new houses development within less than half a mile from the appeal site, for which planning permission was granted, however no full details of it have been provided, such as its precise location. The Council stated that outline planning permission has been granted for a large housing development prior to the current Local Plan being adopted, approximately 1.2km to the north. I do not consider the proposal directly comparable with the large housing development, due to the difference in their location and scale. In any event, I have considered the proposal based on its own site-specific circumstances.
15. For the above reasons I conclude that the proposal would not provide a suitable location for housing, having regard to access to services and facilities. Moreover, due to its siting and form, the proposed dwelling would result in material harm to the rural character and appearance of the area. Therefore, the development would be contrary to Policies S3, EQ2, EQ3, EQ6 and H1 of the LP.

Living conditions

16. The amenity area of the farmhouse consists of a decking area and a garden which are located to the front. The two-storey dwelling would be located next to the outside amenity area of the farmhouse and the eastern side of the new dwelling would project along most of the depth of the decking area.
17. Giving the massing of the two-storey dwelling, and its close proximity to the amenity area of the farmhouse, the development would appear overbearing

and would adversely affect the outlook of the occupiers of the farmhouse, particularly from the decking area.

18. Whilst the new dwelling would be sufficiently set-in from the farmhouse as to not overshadow the windows on the front elevation of the farmhouse, given its scale and siting the development would have an unacceptable overshadowing impact on the decking area, which would cause harm to the living conditions of the occupiers of the farmhouse.
19. Accordingly, I conclude that the appeal development would result in harm to the living conditions of the occupiers of the existing farmhouse, with regard to outlook and overshadowing. Consequently, the development would conflict with Policy EQ6 of the LP with regard to amenity considerations.

Other matter

20. I acknowledge the appellant's need for an additional dwelling and the benefits that the proposal would bring to their family. Nevertheless, I do not consider that the personal circumstances in this case are sufficient to outweigh the harm that I have identified.

Conclusion and Recommendation

21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Andreea Spataru

APPEAL PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Richard Clegg

INSPECTOR