



Appeal Decision

Site visit made on 23 June 2020

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State appointed by the Secretary of State

Decision date: 6th July 2020

Appeal Ref: APP/H1033/D/20/3251971

Windy Nook, Apple Tree Road, New Mills SK22 4EE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Louise Jennings against the decision of High Peak Borough Council.
 - The application Ref: HPK/2020/0034, dated 4 February 2020 was refused by notice dated 6 April 2020.
 - The development proposed is extension to each side of the existing property creating large master bedroom space, and larger kitchen/diner and living space on ground floor. Basement floor plan is reconfigured to add two new rooms. The existing building exterior will have new white render, and the extension to each side of the proper will be clad in grey horizontal trepsa cladding.
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Decision

1. The appeal is allowed and planning permission is granted for extension to each side of the existing property creating large master bedroom space, and larger kitchen/diner and living space on ground floor. Basement floor plan is reconfigured to add two new rooms. The existing building exterior will have new white render, and the extension to each side of the proper will be clad in grey horizontal trepsa cladding, at Windy Nook, Apple Tree Road, New Mills SK22 4EE in accordance with the terms of the application Ref: HPK/2020/0034, dated 4 February 2020, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved drawings: 1077 A DR 000 Location Plan; 1077 A DR 001 Existing Site Plan; 1077 A DR 002 Proposed Site Plan; 1077 A DR 003 Rev A Proposed Floor Plans; 1077 A DR 004 Rev B Proposed Elevations; 1077 A DR 005 Existing Floor Plans; 1077 A DR 006 Existing Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the roof, rainwater goods, windows and doors of the development hereby permitted shall match those used in the existing building.

Application for costs

2. An application for costs was made by Louise Jennings against High Peak Borough Council. This application is the subject of a separate decision.

Main Issues

3. The main issues are the effect of the proposed development on:
 - a) the character and appearance of the host dwelling and the area, and
 - b) living conditions of neighbouring occupiers, with particular regard to privacy.

Reasons

Character and appearance

4. The appeal site comprises a dwelling and its gardens. The host building is set in a residential area on a hillside. The dwelling is split-level, with a single storey at the front, and two storeys to the rear.
5. The area comprising Apple Tree Road and streets in its vicinity is characterised by the following combination of elements. The residential area is situated on the edge of countryside which is located to the north. Dwellings are of varied shape and size, with a combination of more rustic, traditional stone style properties, and more suburban style houses of light brown brick, some of which have elements of white cladding and render. Substantial level drops towards the south and east of the site, and associated ground terracing in the area, contribute to a variety of topography and a heightened sense of spaciousness. Mature boundary vegetation, including at the front and rear of the appeal site, contributes to an established local landscape framework for housing along and off Apple Tree Road.
6. The Council considers that the proposal would overly elongate the building, and the horizontal banding of the cladding and sets of triple windows would emphasise this. The proposal would entail a substantial proportional increase in the building's mass, and result in a building of somewhat individual character. Nevertheless, the grey colour of the cladding would echo the colour of slate roofing on some of the more traditional buildings in the vicinity, and the colour of the white render would echo that of cladding and render on other properties in the vicinity. The proposed mix of cladding and render would also go some way to visually break up the mass of the enlarged building.
7. Furthermore, the ground levels of the appeal building are lower than Apple Tree Road's street level, and the combination of perimeter planting and split-level topography would provide some screening of the proposal from the road.
8. I note the Council's view that the proposal would appear stark and intrusive. However, taking the above together I find that, overall, the variety of contextual and screening elements in the locality would help the proposal to assimilate acceptably within its plot and context.
9. In conclusion, the proposed development would not harm the character and appearance of the host dwelling and area. As such, it would not conflict with Policy EQ6 of the High Peak Local Plan (2016) (LP). It would also not conflict with the guidance in the High Peak Design Guide Supplementary Planning Document (2018), which, in section 5.6, allows for some flexibility of approach in term of style and materials. Together, the policy and guidance seek to ensure that development complements local context and character.

Living conditions of neighbouring occupiers

10. Standard separation gap distances, as set out in paragraph 8.6.1 of the High Peak Residential Design Supplementary Planning Document (2005) (SPD), would not be achieved between habitable room windows within the proposal and adjacent dwellings. That said, paragraph 8.6.1 allows for the possibility of some flexibility, depending on site circumstances.
11. In this case, the following combination of factors would avoid significant loss of privacy to dwellings and gardens to the south of the site. The westernmost first-floor set of windows in the proposed extension, facing towards Cowburn Drive, would be obscure glazed. Two of the proposed first-floor sets of windows at the eastern end of the proposed extension would face obliquely towards, and be separated from, the building at No 103 Mellor Road by a gap of almost 20m. Furthermore, substantial established vegetation along the southern boundary of the appeal site would help prevent overlooking of the houses and gardens of No 19 Cowburn Drive and No 103 Mellor Road from the new windows of the proposal. The screening effect of the vegetation would be accentuated by the level drop from the appeal site to the properties to the south.
12. Taking the above together, the proposal would not harm the living conditions of neighbouring properties, in respect of privacy. As such, it would not conflict with Policy EQ6 of the LP and section 8.6 of the guidance in the SPD, which together seek to ensure that development safeguards the living conditions of residents.

Conditions

13. In addition to the standard commencement condition, a condition is necessary requiring that the development is carried out in accordance with the approved plans, in order to provide certainty. A condition covering materials is necessary in the interests of safeguarding the character and appearance of the area.

Conclusion

14. For the reasons given above I conclude that the appeal should be allowed.

William Cooper

INSPECTOR