



Appeal Decision

Site visit made on 28 July 2020

by Alison Scott BA(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 August 2020

Appeal Ref: APP/R1038/W/20/3250703

Park Farm, Park Avenue, Holmesfield S18 7XA

- 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 W Clay against the decision of North East Derbyshire District Council.
 - The application Ref 19/00451/RM, dated 25 April 2019, was refused by notice dated 11 October 2019.
 - The development proposed is Approval of Reserved Matters (access, layout, scale, appearance and landscaping) for 3 dwellings pursuant to outline planning permission 15/01225/OL (Affecting a public right of way).
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Decision

1. The appeal is dismissed.

Preliminary and Procedural Matters

2. An application for an award of Costs has been submitted with the appeal and is considered under separate cover.
3. The address is listed as Park House within the submitted application form although is otherwise referred to as Park Farm. In the interest of accuracy, I have used this address in the determination of this appeal.
4. Following an outline approval at the site, the proposal before me refers to the reserved matters of the scheme. The description of the proposal has been amended by the Council and is described as; *Approval of Reserved Matters (access, layout, scale, appearance and landscaping) for 3 dwellings pursuant to outline planning permission 15/01225/OL (Affecting a public right of way)*. I concur that this accurately describes the proposal before me.
5. Since the time the application has been determined and prior to the outcome of this appeal, the Council have granted permission for a separate proposal for reserved matters at the site¹.

Main Issue

6. The main issue is the effect of the proposal on the openness of the Green Belt and the character of the Special Landscape Area.

¹ Reference number 19/01038/RM

Reasons

7. The appeal site is a fairly secluded site separated by the main built up settlement of Holmesfield by agricultural fields and accessed along a single track lane between a public house and a barn conversion development. It leads to a public right of way (PROW). A single dwelling, Park House, lies to the west, otherwise the site is surrounded by undulating agricultural land.
8. The appeal site has permission in outline² with all matters reserved and this appeal relates to the reserved matters of access, layout, scale, appearance and landscaping of the site. The Planning Inspector for the previous appeal decision³ imposed a condition, Number 12, to restrict the heights of the three proposed dwellings to be single storey in height and for the internal floor areas not to exceed 90 sq m. in order to protect the openness of the Green Belt.
9. Both parties accept that the overall volume of each dwelling would be exceeded by approximately 12% from that of the volume of the existing buildings. The proposed heights would be a maximum of either 6.2m or 5.3m to ridgeline, and would consist of three house types, spaced out within the plot. Both the existing dwelling and the other structures within the yard area would be removed to facilitate the proposal.
10. It is accepted by both parties that the proposed dwellings should be single storey in height. A reference point was taken by the former Planning Inspector based on the heights of the existing buildings. There is significant debate between parties regarding the eaves and ridgeline heights of the proposed dwellings and whether or not they would be commensurate with the height of the existing buildings. However, as part of my assessment I am also mindful that it is the impact on the openness of the Green Belt which has a spatial and visual dimension to it. The effect of the proposal on the Special Landscape Area is also relevant to this appeal.
11. The highest ridgeline height is described by the appellant as corresponding with that of the existing dwelling. However, there are no comparison plans before me to demonstrate the precise height of this building, or those of the other buildings on site.
12. Moreover, the accuracy of the heights of the existing buildings as provided within this appeal, and compared to those of the proposed dwellings is called into question. The Council's Statement of Case at paragraph 6.6 explains that the existing roof heights are '*mostly of 5.12m*'. The appellant states that the existing dwelling is 6.2m to ridge line and the appellant's Statement of Case in Appendix D, Appellant's Supporting Comments, explains that the site has varying degrees of falls therefore all heights vary from the existing ground levels to eaves and ridges. However, the Planning Statement and Design and Access Statement 2015 accompanying application 15/01225/OL states that the land is level. The previous Planning Inspector based his decision on the information before them including this planning statement.
13. In terms of landscape character, the fields surrounding the appeal site broadly rise and fall in all directions. The site is prominent in its location and seen clearly in views from the PROW, and despite the undulating land levels, is visible from the north and east.

² Reference number 15/01225/OL

³ Reference APP/R1038/W/16/3152305

14. The proposed design is based on a modern interpretation of an agricultural building and in this environment, this design reference would not be out of context. The roof design is however the most dominant part of the proposed houses, with by and large, a high-pitched roof proportion to the development. This has a resultant effect of creating a top-heavy, bulky roof form.
15. Therefore, the roof would appear the most visual part of the proposal given its height, scale and mass. Whilst the appellant is of the opinion the existing boundary treatment is largely commensurate with the height of the proposed buildings, I am not of the same view. The proposed dwellings would rise above the perimeter landscaping. This would be especially obvious as house Type 3 is proposed to run parallel to the northern boundary and within close quarters to it, and house Type 2 closest to the eastern corner, would also be clearly seen in views above perimeter landscaping, in a location that is otherwise spatially separate from other buildings.
16. The site is visually exposed in this location and the roof form as demonstrated, and the consequential visual impact, would not protect the openness of the Green Belt, but would instead conflict with the purposes of the Green Belt.
17. The starting point of decision making is plan led. The appeal site is spatially located within an area surrounded by fields and despite Park House being located close by, is not viewed in the context of other built development and further highlights its prominence. The development would result in visual intrusion as it would be clearly visible from the surrounding Special Landscape Area which would result in harm arising, detracting from the qualities of its special character.
18. The proposal is therefore contrary to Policy NE2 of the North East Derbyshire Local Plan 2005 for development not to materially detract from the surrounding landscape, and for development to be of a scale and design that would be in keeping with the special character of the area. It is furthermore contrary to one of the core aims of the National Planning Policy Framework to protect Green Belt land.

Other Matters

19. I accept that visual improvements would arise as a result of the proposal, and I am aware of the letter of support to the proposal, however the harm that would occur does not persuade me to allow the appeal.
20. Issues relating to the Council's handling of the planning application and their suggested changes to the eaves and ridgeline is noted, and their reasonings for this. Nevertheless, I have come to my own decision based on the information before me which is my duty.

Conclusion

21. Therefore, for the reasons given, and having had regard to all other matters raised, the appeal is dismissed.

Alison Scott

INSPECTOR