



Appeal Decision

Site Visit made on 16 December 2020

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 22 December 2020

Appeal Ref: APP/P1045/W/20/3260234

3 to 5 Rodsley Lane, Yeaveley, Ashbourne, DE6 2DT

- 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 & Mrs L Milward against the decision of Derbyshire Dales District Council.
 - The application Ref 20/00286/FUL, dated 17 March 2020, was refused by notice dated 19 May 2020.
 - The development proposed is formation of accesses and off-street parking areas for 3, 4 and 5 Rodsley Lane.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

3. The residential properties situated on Rodsley Lane are a mix of styles. Some are positioned close to the boundary with the highway, whereas others such as the three dwellings subject of this appeal are set back from the road. There is no pedestrian footway to the section of road fronting the appeal site and together with the varied building line and the soft landscaping that exists to many of the frontages this combines to give Rodsley Lane a distinctive semi-rural character.
4. There are existing examples of frontage parking in the area. However, these are generally provided in a way which utilises the natural landform. Where hard landscaping does exist, this is more often interspersed by the gardens and soft landscaping which is also prominent on Rodsley Lane. On my site visit, I saw the parking area that has been provided to No 6 Rodsley Lane. This appears as a heavily engineered and hard landscaped feature within the streetscene which contrasts considerably with the gently sloped soft landscaped gardens that front the dwellings subject of this appeal.
5. The proposals would excavate a considerable portion of the soft landscaped gardens which front the appeal dwellings. In combination with the existing parking area at No 6, the development would result in a proliferation of similar excavated hard surfaced parking areas with associated retaining walls. I

acknowledge that the proposals would include the provision of planting beds and that the block paved surfacing would contrast with the tarmacadam used to the frontage of No 6. Even so, these elements of the proposals would not sufficiently assimilate the alterations to the garden levels or extent of hard landscaping proposed. Overall, I find that the development would be detrimental to the streetscene and would result in significant harm to the semi-rural characteristics of Rodsley Lane.

6. I conclude that the development would have a significantly harmful effect on the character and appearance of the area. In that particular regard the development would conflict with those parts which seek to ensure development is of a high quality design that respects the character and local distinctiveness of the Derbyshire Dales townscapes and landscapes in Policies S4 (Development in the Countryside) and PD1 (Design and Place Making) of the Adopted Derbyshire Dales Local Plan (2017).

Other Matters

7. I note there is some third-party support for the proposals, particularly with regards to the potential for the development to improve road safety through a reduction in the number of cars parked on the highway. I noticed the prevalence of on-street parking close to the appeal site at the time of my visit. I acknowledge this only provides a snapshot of the highway conditions on Rodsley Lane. Even so, from what I saw, there is good visibility for drivers and pedestrians on Rodsley Lane. The anecdotal evidence before me does not convince me that the on-street parking that currently occurs gives rise to any significant highway safety issues or more than moderate inconvenience for local residents, drivers and pedestrians.
8. With regards to the suggestion that benefits would arise from the ability to facilitate charging for electric vehicles, given the number of properties involved I consider any such benefits would be likely to be relatively modest. I am also not convinced that the proposals are the only way in which such facilities could be provided. Overall, I am not persuaded that any potential benefits that could arise through the provision of off-street parking or vehicle charging points for the appeal properties would justify the significant harm that I have identified to the character and appearance of the area in this instance.
9. The appellant has also drawn attention to there being permitted development rights for parking areas and retaining walls. However, from the evidence before me, the proposals in this instance require planning permission given they would be accessed off a classified road. In the circumstances I must consider the effect of the development against the policies of the development plan and I therefore do not find this argument persuasive.

Conclusion

10. For the reasons given above I conclude that the appeal should be dismissed.

M Russell

INSPECTOR