



Appeal Decision

Site visit made on 10 June 2022

by K Savage BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 June 2022

Appeal Ref: APP/H1033/D/22/3292977

19 Buxton Road, Furness Vale SK23 7PQ

- 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 Ms Jane Ball against the decision of High Peak Borough Council.
- The application Ref HPK/2021/0531, dated 12 September 2021, was refused by notice dated 30 November 2021.
- The development proposed was originally described as 'enclosure of driveway.'

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The proposal is described as 'enclosure of driveway', but essentially comprises the construction of a garage to the side of the dwelling. The application was made on a partly retrospective basis, the main garage structure having been constructed, but with the plans showing a proposed change from an angled front building line to one parallel with the main front elevation. However, I saw on site that the 'proposed' front building line had already been constructed. Nonetheless, for the avoidance of doubt, I have determined the appeal on the basis of the submitted plans.

Main Issue

3. The main issue is the effect of the development on the character and appearance of the area.

Reasons

4. The appeal site forms one end of a short terrace of three dwellings, one of several such terraces of modest, traditional stone built dwellings along the main road through Furness Vale running roughly in a north-west to south-east direction. A single storey garage has been constructed within the gap between the dwelling and the next terrace, which I understand was previously open and used for off-street parking. It is a flat-roofed structure with timber boarding to the walls and a grey roller door. The garage projects some 480mm beyond the front wall of the dwelling.
5. The dwellings between Nos 1 and 19 directly address the pavement, which is separated from the main road by railings. The adjacent terrace, Nos 21-25, differs slightly in that the dwellings are set back behind short, enclosed front gardens. The immediately adjacent dwelling, No 21, has a thick hedge within the front garden which obscures views of the garage when approaching from the north-western side. I also saw that on-street parking along the road

- obscures longer views of the terraces, but the garage is a notable structure in closer range views.
6. The Council's Design Guide Supplementary Planning Document (2018) (the DGSPD) advocates that extensions should respect the dominance of the original building and be subordinate to it in terms of its size and massing, and that setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help in this regard. It adds that garages need to be designed and built in sympathy with the properties they serve, and that materials and roof pitch should generally match those of the parent building.
 7. I accept that the structure is modest in scale relative to the main dwelling. However, the forward projection of the garage, though not substantial, lends it an undue prominence in the street scene that would not be the case if it were recessed behind the front building line as advocated by the DGSPD. It creates an awkward relationship with the parent dwelling, whereby the garage appears to have been added with little attention paid to the prevailing pattern of development or the need to be subservient to the parent building. Consequently, the garage forms a prominent and uncharacteristic interruption to the pattern of development and the consistency of the wider street scene.
 8. I note the Council's comments that timber is not a characteristic facing material within High Peak. Examples of timber fencing and some ancillary buildings in other materials were visible nearby, but I saw these to be isolated exceptions to the prevailing use of stone both to the dwellings and boundary walls. The chosen style of timber boarding, flat roof and roller door of the garage lend it a contemporary appearance that contrasts jarringly with the traditional, pitched roof, stone dwellings within the street. The garage door, due to its size and solid form, also visually dominates next to the modest front entrance and windows of the parent dwelling and adds to the overall lack of harmony between the dwelling and garage.
 9. Moreover, whilst the garage is screened on the north-western side by the hedge to the front of No 21, there is no guarantee that this will remain in place. Were it to be lowered or removed, the recessed position of No 21 means more of the garage would be exposed to considerably wider view, where its forward projection, uncharacteristic materials and contemporary form would exacerbate its incongruous presence within the street scene.
 10. For these reasons, I conclude that the appeal scheme causes harm to the character and appearance of the area, in conflict with Policies S1 and EQ6 of the High Peak Local Plan (April 2016), which together require development to be well designed to respect the character, identity and context of High Peak's townscapes, including in terms of scale, materials and relationships to adjacent buildings.
 11. There would also be conflict with the aims of the National Planning Policy Framework to achieve high quality, beautiful and sustainable buildings and places.

Other Matters

12. The appellant has put forward evidence of vandalism and attempted theft of her cars having prompted the erection of the garage to provide better security.

I sympathise with the appellant's situation, and do not doubt these events have caused considerable distress. I recognise that the open parking space formerly to the side of the dwelling enabled access to the cars, and that enclosing the parking space provides a deterrent both in terms of not having the vehicle on display and not having it accessible.

13. However, the garage as built is not the only means by which access to the car could have been prevented, nor is a flat roofed, timber structure the only form an enclosure could have taken. I note correspondence between the appellant and the Council during the application period included potential alternative designs and materials, but it is not clear whether other options that would not have the same harmful appearance as the garage have been fully explored.
14. Moreover, whilst I acknowledge the appellant's experiences, it is the case that on-street parking is commonplace along the street, but I have no evidence before me that other residents have suffered similar property damage or that crime rates are demonstrably higher around the appeal site than elsewhere.
15. Taking these considerations together, I accept that the appeal scheme provides increased security and peace of mind for the appellant, and to this I afford favourable weight. However, this weight is tempered by the absence of evidence that other, less harmful options have been ruled out. Consequently, I am not persuaded that the benefits to security provided by the garage are sufficient to outweigh its harmful effect on the character and appearance of the area.
16. I note that the forward projection of the garage is indicated to extend over the public highway, but no objection has been made by the local highway authority in terms of highway safety. Similarly, no harm was identified by the Council in respect of neighbours' living conditions. My observations on site have not led me to different conclusions. The absence of harm in these matters means they are neutral factors weighing neither for nor against the proposal.
17. In reaching a view, I have taken into consideration the several supportive comments made by local residents. However, these do not ultimately lead me to a different conclusion on the main issue of the appeal.
18. I also note the appellant's comments regarding the Council's conduct during the application process. However, such matters are for local government accountability and are not relevant to my assessment of the appeal scheme, which I have considered only on its planning merits.

Conclusion

19. For the reasons set out, I conclude that the appeal scheme results in conflict with the development plan, taken as a whole, which is not outweighed by the other material considerations in this case. Therefore, the appeal is dismissed.

K. Savage

INSPECTOR