



Appeal Decision

Site visit made on 17 September 2024

by D J Barnes MBA BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 3 October 2024

Appeal Ref: APP/R1038/W/24/3343325

Huntingdon, Brackenfield Lane, Wessington, Derbyshire DE55 6DW

- 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 Mr J Smith against the decision of North East Derbyshire District Council.
 - The application Ref is 23/00621/FL.
 - The development proposed is the demolition of an existing house and erection of 3 houses.
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Decision

1. The appeal is dismissed.

Main Issue

2. It is considered that the main issue is the effect of the proposed development on the character and appearance of the surrounding area, in particular the streetscene along Brackenfield Lane.

Reasons

3. The appeal site includes a dwelling, which is not of high architectural merit, situated on a triangular shaped plot at the junction of Matlock Road and Brackenfield Lane. Planning permission to alter the bungalow was granted by the Council but this has now lapsed (Ref 20/00307/FLH). On the opposite side of Brackenfield Lane is the Horse and Jockey public house with an extensive open car park. Around the junction and along Brackenfield Lane there are grass verges and, in combination with the car park, the area around the junction has an open and spacious character and appearance.
4. Fronting Matlock Road to the north west of the site are 2 detached dwellings. There are bungalows with accommodation within the roofspaces fronting Brackenfield Lane to the north of the site. Within the wider area, the dwellings are predominantly 2-storey houses of varying types and sizes. The majority of the residential properties are generally set back from the footways of the roads to the rear of landscaped front gardens, which are also used for parking. Where these properties possess front boundary walls, hedge and fences they are of a height that maintains the positive contribution the gardens make to the spacious and open character and appearance of the streetscenes, including along Brackenfield Lane.

5. The proposed development includes the demolition of the existing building and the erection of a pair of 2-storey semi-detached houses fronting Matlock Road and a detached 2-storey house facing the junction. All the proposed dwellings would have accommodation within the roofspace which results in a higher ridgeline than the neighbouring residential properties.
6. The appellant has identified that the proposed development has sought to respond to a previous scheme which was refused planning permission by the council (Ref 22/01216/FL). However, this appeal scheme has been assessed on its own circumstances and also does not take into account the appellant's claim that the council is only seeking the redevelopment of the site for a single dwelling.
7. The site is within the Settlement Development Limits of Wessington where Policy SS7 of the North East Derbyshire Local Plan (LP) and Policy 1 of the Wessington Neighbourhood Plan (WNP) both support the principle of the proposed development subject to, amongst other matters, it being compatible with the character and appearance of the area within which it is located.
8. Along Matlock Road there is an inconsistent building line with the 2 detached dwellings neighbouring the site being sited further forward than the Nos. 6 to 14. Although their siting would be staggered, the proposed pair of semi-detached dwellings would respect the character of the streetscene along Matlock Road, including being sited to the rear of a landscaped front garden.
9. The proposed detached dwelling would be orientated to face the junction and, as such, there would be limited amenity spaces fronting Matlock Road and Brackenfield Lane. This lack of setting back from the footways in a similar manner to other residential properties would give this element of the appeal scheme a cramped appearance. Further, because of its siting, visual prominence and height, the proposed detached dwelling would not be consistent with the open and spacious character and appearance of the area around the junction.
10. Along Brackenfield Lane off-street parking spaces are proposed for the dwellings but there would be a tall brick wall defining the gardens of the dwellings. This proposed wall would be significantly higher than other means of enclosure fronting Brackenfield Lane and, as such, it would be a prominent and detrimental feature within the open and spacious streetscene. The unacceptable harm associated with the visual prominence of the proposed wall would not be adequately mitigated by planting because it would take time to establish. Further, there would be no means to secure its maintenance and any replacement planting beyond the normal 5-year period associated with a landscaping condition.
11. Overall, although some elements of the appeal scheme could be appropriate, the proposed development would not represent a high quality of design that would respect the character and appearance of the streetscene of Brackenfield Lane and the area around the junction. The choice of external materials would not mitigate the unacceptable harm which has been identified.
12. Although the concerns of other parties have been noted, including the impact on the local highways and potential harm caused to the living conditions of the occupiers of neighbouring properties, there are no reasons to adopt different assessments to the Council. However, these matters do not outweigh the

unacceptable harm which has been identified, even when taken together with the efficient use of a site within a settlement.

13. For the reasons given, it is concluded that the proposed development would cause unacceptable harm to the character and appearance of the surrounding area, in particular the streetscene along Brackenfield Lane, and, as such it would conflict with LP Policies SS7 and SDC 12 and WNP Policies 1 and 3. Amongst other matters, these policies refer to development being of a high quality design which positively contributes to the character and quality of the local environment, with particular attention being given to landscaping schemes and boundary treatments. WNP Policy 2 is not considered to be of direct relevance to the appeal scheme because it concerns Protecting the Natural Environment and Landscape Character and the site is not identified as being part of a significant viewpoint. However, this does not alter the conclusion that this appeal should be dismissed.

D J Barnes

INSPECTOR