



Appeal Decision

Site visit made on 12 November 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2 December 2024

Appeal Ref: APP/M9496/W/24/3347367

Spire View, Monyash Road, Bakewell, Derbyshire DE45 1FG

- 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 Mrs K Rockingham against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/1023/1269.
 - The development proposed is a new low energy house to replace existing garage.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) whether the proposal would accord with the policies of the development plan where they refer to new housing, (ii) the effect of the proposal on the character and appearance of the area and (iii) the effect of the proposal on the living conditions of the occupants of Spire View and whether acceptable living conditions would be provided for the future occupants of the proposed dwelling.

Reasons

New housing

3. The proposed dwelling was put forward in the planning application submission as market housing. This was clearly the intention stated on the planning application form and it is not therefore surprising that the Authority proceeded to make their determination as such. In the appeal submissions the appellant states that they would instead be agreeable to it being an affordable house and to providing a planning obligation to secure this. No obligation has been submitted with the appeal and therefore I proceed on the basis that this is a proposal for a market dwelling.
4. Policy HC1 of the Core Strategy 2011 (CS) states that provision will not be made for housing solely to meet open market demand. The appellant questions whether the policy is compliant with the National Planning Policy Framework, but they do not expand on the reasons why, other than by reference to the affordable housing threshold in effect being set at one unit in the CS.
5. However, they note that this threshold was addressed during the examination of the Development Management Policies 2019 (DMP) development plan document. Furthermore, the *English National Parks and the Broads UK*

Government Vision and Circular 2010 sets out an expectation that new housing in National Parks will be focussed on meeting affordable housing requirements. There is no substantive evidence provided to demonstrate that the application of Policy HC1 of the CS is resulting in older housing stock in Bakewell becoming unaffordable and/or being used as holiday accommodation.

6. My attention has also been drawn to the housing land supply position in the Derbyshire Dales district which geographically includes Bakewell, but the Peak District National Park Authority is the local planning authority for the area in which the appeal site is located. Therefore, it is the policies of its CS and DMP which are applicable to the consideration of the appeal proposal, with the Authority not being subject to national housing targets.
7. In conclusion, the proposal fails to accord with Policy HC1 of the CS where it sets out the parameters for permitting new housing in the Peak District.

Character and appearance

8. The appeal site is located on a main road leading into and out of the centre of Bakewell. The flat-roofed single garage that is present is set well back into the site and because of its positioning, scale, boundary screening and the topography of the surrounding area it is an unobtrusive building which does not make any notable contribution to the character and appearance of the area. It also has an unimposing relationship to the dwelling at Spire View for the same reasons.
9. In contrast, the house that is proposed would be a considerably higher building than the garage but still one that would be constrained by the width of the appeal site. Whilst attempts have been made to ensure that its front elevation takes design cues from Spire View, it would appear as a visually awkward and incongruous building in relation to this larger adjacent building, squeezed in between it and the side boundary and clearly visible in the street scene. It would neither achieve a subserviency to Spire View so to appear more akin to an outbuilding, nor have the same or similar visual standing that would be expected from a new dwelling adjacent to an existing one.
10. There would be some improvement in comparison to the existing garage in terms of the materials to be used, although as I have noted the garage is not overly prominent in the street scene. The Authority also raises concern as to the rear elevation of the proposed dwelling, but that elevation would face towards a high bank and would not be likely to have any substantial visual impact as a result. Neither of these considerations however overcome the other impacts I have identified.
11. For the above reasons, the proposal would cause significant harm to the character and appearance of the area. Consequently, it would fail to accord with Policy GSP3 of the CS and Policy DMC3 of the DMP where they collectively seek to protect character and appearance.

Living conditions

12. The relationship of the appeal site and the adjacent dwelling at Spire View is unusual in that the garage upon it serves a separate dwelling on the opposite side of Monyash Road. Therefore, the use of the garage and people moving to and from it in cars and on foot will already impact on the living conditions of the occupiers of Spire View to some degree. Although there would be likely to

be more frequent movements associated with the proposal, given the size of the dwelling proposed these would not be at a level that would have a harmful impact on the living conditions of the occupiers of Spire View. The amount of parking proposed would appear reasonable given the size of the dwelling and the proximity to Bakewell.

13. There are windows serving Spire View which are close to the appeal site but those facing the proposed building are secondary windows and, in any event their relationship to the built form of the proposal would mean that their outlook and light would not be unduly affected. The windows of the proposed dwelling would not face towards Spire View and there would not be any intrusive overlooking as a result. Accordingly, there would not be a harmful impact on the living conditions of the occupiers of Spire View in those respects either.
14. There would be very limited external space provided for the future occupiers of the proposed dwelling. Although the appellant refers to there being room to sit out, store bins and dry washing, this could only realistically be done to the front of the dwelling in the area in between its front elevation and Monyash Road. This would be an unattractive and unsatisfactory area in which to sit out, lacking privacy in its relationship to Spire View and being shared with the car parking area.
15. Whilst the appellant considers there to be no policy basis for refusing planning permission as no minimum level of amenity space is set out in the policies of the development plan, it is reasonable to expect that some private space would be provided for a dwellinghouse and that this should be of a quality which exceeds that provided by the appeal proposal. Therefore, in terms of the living conditions of future occupiers, the proposal would fail to accord with Policy DMC3 of the DMP where it refers to the amenity of the development. Policy GSP3 of the CS is not directly relevant to the matter of whether acceptable living conditions would be provided for future occupants.

Conclusion

16. For the reasons given above, the appeal should be dismissed.

Graham Wraight

INSPECTOR