



Appeal Decision

Site visit made on 27 April 2025

by J Somers BSocSci (Planning) MA (HEC) MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 09 May 2025.

Appeal Ref: APP/P1045/D/25/3361114

19 Paxton Close, Matlock DE4 3TD

- 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 Hadleigh & Charlotte Johnson-Harvey against the decision of Derbyshire Dales District Council.
 - The application Reference is 24/00940/FUL.
 - The development proposed is described on the Application Form as 'Demolish existing garage and rebuild new two storey side extension and single storey rear extension.'
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development upon the existing dwelling and the character and appearance of the locality.

Reasons

3. The appeal property is located along Paxton Close, a residential cul-de-sac leading from Megdale. Development along Paxton Close appears to have been undertaken as a speculative development during the mid-late twentieth century. As a result, many of the dwellings have similar materials and design with simple two storey construction with pitched and gable roof forms, the use of buff brick, concrete roof tiles with feature boarding to front facades. Development along Paxton Close is quite unique given that dwellings have been constructed to fit the steep topography of the land and the road that slopes from Megdale in the east towards the west.
4. As one travels down Paxton Close the Matlock Hills along the River Derwent are a prominent characteristic which can also be experienced between the gaps between dwellings above single storey garages that separate dwellings. Whilst there are detached properties on the opposite side of the road, to the south of Paxton Close where the appeal site is situated lies semi-detached dwellings. The dwellings are interesting as they do not follow the conventional layout of a pair of semi-detached dwellings. Each pair of semi-detached dwellings are staggered to the topography of the land, with the western half of the pair of semi-detached dwellings setback from the front façade of the eastern half with the topography causing the eastern half to have a lower apex, setback and ground level from its neighbouring half. There is a regimented layout in terms of design and placement with many of the dwellings maintaining a similarly sized front garden with vegetation and driveway to the side of the property leading to a single storey garage which enables a visual gap between the properties to the landscape beyond. These are some of the positive

qualities that make up the local distinctiveness, character and appearance of the locality.

5. The appeal dwelling contains many of these positive characteristics, being one of the characteristic halves of the semi-detached dwellings that is setback from the eastern half in terms of front façade and apex which is deliberately staggered to follow the topography of the land in relation to Paxton Close. To the side of the appeal dwelling is a single storey garage with the dwelling contributing to the positive elements of the character and appearance of the area and enables one to acknowledge the original design as part of the planned development.
6. In undertaking an assessment of design and character, the Derbyshire Dales Local Plan (LP) Policy PD1 lists a number of design related principles to be assessed such as ensuring high quality design, having regard to the local context and character in terms of scale, height, density, layout and relationship to landscape features, amongst others. LP Policy HC10 is specific to residential extensions and seeks that proposals consider height, scale, form, design and character of the existing dwelling, including the site's wider setting and location, amongst others.
7. Given that the overriding character of Paxton Close and the staggered nature of development to follow the topography of the site, the proposed elongation of the façade with a two storey side extension would look awkward in this particular context as it does not follow the regimented pattern of development. The larger setbacks of front facade together with the lower apex assists in reducing the scale and massing of properties in this particular location. Consequently there is much more prevalence in design functionality here than a more traditional arrangement when extending a semi-detached dwelling without the topographical considerations and within this particular context where there is a characteristic layout and design treatment of the dwellings.
8. I disagree with the Appellant's Statement of Case (SoC) that the proposal should be treated or assessed as a 'cohesive new building' as to do this would ignore the surrounding context, design and relationship of the dwelling and the wider environment as per LP Policies HC10 and PD1, which places an emphasis of ensuring development adheres to the character and context of the surrounding locality. The lack of setback or staggered nature of the proposal would provide an elongated appearance that has a domineering presence which would unbalance the pair of semi-detached dwellings and have an awkward juxtaposition within the street scene that does not reinforce the positive qualities or characteristics as described previously.
9. I acknowledge comments in the Appellant's SoC with regards to No.7 Paxton Close where a two storey extension has been constructed to the side and has a similar relationship to the Appeal site and where the Appellant considers that the small setback is of little visual value. In my opinion the visual value and articulation of the setback of the extension for No.7 could have been increased by a larger setback that mimicked the original setback, but despite this, the small setback does assist in breaking up the built form and making the extension more subservient. A similar assessment is also made with the examples along Megdale, Prospect Drive and Collingwood Crescent as presented in the SoC. Whilst these dwellings in surrounding streets do not have the same regimented staggered layout as Paxton Close, the setbacks of the extensions are quite shallow and a greater depth may have increased their visual contribution. Despite this, a shallow setback in my

opinion would be better in this particular case than an elongated façade without any articulation as present on the appeal proposal.

10. Consequently, and in conclusion of this matter, the proposed extension would present as an incongruous form of development which harms the character and appearance of the existing building and the greater locality and would be contrary to LP Policies HC10 and LD1 as described previously.

Conclusion

11. For these reasons, and having considered all matters raised in evidence and from what I saw during my site visit, I conclude that the appeal should be dismissed.

J Somers

INSPECTOR