



Appeal Decision

Site visit made on 19 August 2025

by H Jones BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 September 2025

Appeal Ref: APP/P1045/W/25/3363854

Longridge, Will Shores Lane, Oker, Matlock, Derbyshire DE4 2JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Ms Suzanne Mansfield against the decision of Derbyshire Dales District Council.
 - The application Ref is 24/00588/OUT.
 - The development proposed is a replacement dwelling with associated works including demolition of existing bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Outline planning permission is sought. The Council determined the application on the basis that the matters of access and layout were included for consideration at the outline stage, and the matters of appearance, landscaping and scale reserved for future consideration. I have determined the appeal on the same basis.
3. The application is accompanied by proposed plans referenced P002, P003 and P005. Given the matters which are reserved, I have treated the depictions on those plans of the appearance of the proposed development, the provision of gardens and landscape features, and of garden walling, as indicative. Conversely, I have treated the plans' depiction of the access and layout arrangements as definitive proposals.

Main Issue

4. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

5. Oker's residential properties are clustered around Will Shores Lane, Oker Road and Oker Lane. Longridge itself is reflective of this, being set a short distance back from Will Shores Lane. Some properties are located farther from the nearest road, such as Blenheim Cottage but, nevertheless, the prevailing character of Oker is very much that it is confined to a compact area, and its pattern of residential properties is a concentrated one. There are other dwellings in the local area set amongst fields, but these are isolated dwellings, set apart from Oker.
6. Longridge's appearance and design is not noteworthy, and its contribution to Oker is not such that it demands retention. However, being a bungalow, it has a low-slung appearance and, although stone is the more common building material on

neighbouring properties, the colour of its brickwork is nevertheless sympathetic. Overall, Longridge has an unassuming presence within Oker, and it does not detract from the character or appearance of the area.

7. The proposed replacement dwelling would be sited to the west of Longridge, and it would be positioned considerably farther to the west than the existing dwellings on this side of Oker. Situated within such a back-land position, so far from Will Shores Lane, the proposed dwelling's positioning would be anomalous, divergent from Oker's prevailing character of concentrated dwellings.
8. In coming to these views, I acknowledge that there are already some sheds to the west of Longridge, and storage-type buildings to the south-west of Okerside, which establish some built development within the site or near to it, beyond the dwellings on this side of Oker. However, these existing buildings are not dwellings, and they do not establish an effect of dwellings intruding beyond the edge of Oker which the proposal would.
9. Altogether, the storage-type buildings, existing landscaping features, and the detailed design and landscaping options which could be explored and ultimately determined at the reserved matters stage, would, in combination, serve to limit the prominence of the proposed development. Even so, it would nevertheless be the case that a dwelling would be developed within a location which would be harmfully at odds with Oker's character. In addition, I fully expect that there would be roadside views where the replacement dwelling's back-land position and intrusion beyond Oker's western edge would be apparent and noticeable.
10. For these reasons I find that the proposed development would result in unacceptably harmful effects upon the character and appearance of the area. As a result, the proposed development conflicts with Policy PD1 of the Derbyshire Dales Local Plan 2017 (the LP) which is referenced within the Council's reason for refusal. In summary, and amongst other matters, this Policy sets out that developments should contribute to local distinctiveness and a sense of place, and it requires development to be of high quality that would contribute positively to an area's character and be respectful to both townscape and landscape character.
11. Also before me, and focused upon within submitted evidence, is Policy HC7 of the LP which specifically relates to replacement dwellings. I accept that the proposal does not contravene criteria a) to d), criterion f) nor g). However, criterion e) requires the scale, form, design and massing of the replacement dwelling to not detract from the character or appearance of its setting or surroundings. In my view layout is a component of design, and an important one. Given that I have identified that the layout of the proposed development would be harmfully divergent from Oker's character, I find that the design of the proposal would detract from the character and appearance of the area and the site's surroundings.
12. The operation of Policy HC7 is such that, for there to be compliance with it, all of its criteria must be met. The proposal does not comply with criterion e), accordingly, and in contrast with the appellant's submissions to me, I conclude that the proposal also conflicts with Policy HC7.

Other Matters

13. The appellant refers to alternative development proposals which could be implemented under permitted development rights. However, no clearly defined

alternative developments have been advanced by the appellant: I have no alternative scheme as such before me to compare to the development proposed. Furthermore, by reason of their likely siting, scale or character, typical permitted developments, such as extensions to the existing bungalow, or a detached outbuilding serving it, would not result in effects very comparable to the appeal scheme. Some permitted developments are also subject to the prior approval process, and prior approval can be refused by the Council.

14. Therefore, even if I were to adopt the position that all of the appeal site comprises of Longridge's curtilage, I have no compelling reasons to conclude that an alternative development could be undertaken exercising permitted development rights which would result in effects which would be either more, or similarly, harmful. Consequently, permitted development rights do not provide a fallback position which weighs in favour of the appeal proposal to any meaningful extent.
15. The appellant refers to an earlier planning application relating to land off Oker Road¹. However, the full details and circumstances surrounding that case are not before me. Therefore, it is not possible for me to draw accurate comparisons between the cited development and that the subject of this appeal. Furthermore, I must consider the appeal scheme on its own merits. Consequently, the cited development is a matter of very limited weight in my decision.
16. The proposed development would result in some modest benefits. Firstly, the proposal would bring for its prospective occupants a new, purpose-built dwelling replacing the standard of accommodation provided for by Longridge. The demolition and construction phase of the development would bring with it some employment and a boost to the local economy. It is also submitted to me that the proposed dwelling would be energy efficient, would incorporate an improved drainage system and that the proposal's landscaping would achieve biodiversity enhancements.
17. The proposal's redesigned access arrangements would also enable vehicles to manoeuvre and park within the site. However, Will Shores Lane is relatively short in length, and it serves a quite limited number of properties. I expect that movements along the lane by vehicles, pedestrians and cyclists will be quite low as will vehicle speeds. I have no substantive evidence before me that particularly problematic parking affects the area. Consequently, I have no reason to conclude that the subsisting highway conditions on the lane are unsafe. In turn, any benefit derived from the proposal's effects upon highway conditions would, again, be modest.
18. Altogether, the benefits of the proposal would not be sufficient to outweigh the harm I have identified in my main issue.
19. The proposal would result in the replacement dwelling having a different relationship with the nearest neighbouring properties in comparison to Longridge. The dwelling's positioning farther west would mean that its presence would be more noticeable for the occupiers of Okerside, particularly when they are within the back of the house and the external amenity space beyond. The comings and goings along the proposed dwelling's driveway would also be apparent to the occupiers of Haeg Bank. Therefore, I cannot agree with the appellant that the

¹ Planning Application Reference 17/01014/FUL

proposal would result in improved living conditions for neighbouring occupiers overall.

20. The appellant asserts that the appeal site is located within an accessible location. However, the area is rural, and Oker is a very small settlement with limited facilities. I have no substantive evidence of what public transport there is in the area nor any compelling evidence overall to conclude that the accessibility credentials of the site are as good as has been suggested to me. For this reason, the site's accessibility credentials is not a factor which weighs in the proposal's favour.
21. Representations by third parties raise an assortment of other matters including concerns in respect of land instability. However, such matters did not form the basis on which the Council refused the planning application, and they do not comprise the key areas of dispute between the Council and the appellant. In light of this, and since I am dismissing the appeal anyway for other reasons, it is not necessary for me to address these matters in detail.

Conclusion

22. The proposed development conflicts with the development plan taken as a whole. There are no material considerations of sufficient weight to indicate a decision other than one in accordance with the development plan. Therefore, I conclude that the appeal should be dismissed.

H Jones

INSPECTOR