URBAN DESIGN | TOWN PLANNING

Planning, Design and Access Statement

in respect of:

Land Adjacent to 22a Danesway,

Chapel-en-le-Frith

on behalf of:

Kapetil Ltd

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Appendix A – Previous Appeal Decision Notice APP/H1033/A/04/1153930

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URBAN DESIGN | TOWN PLANNING

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1.0. Introduction and Background

1.1. This Planning, Design and Access Statement (PDAS) have been prepared to provide a planning justification in support of a full planning application for a single dwelling on a site adjacent to 22a Danesway, Chapel-en-le-Firth, High Peak. This document is also designed to fulfil the requirements of a Design and Access Statement as set out in circular 01/06 DCLG, and reflects best practice in that regard.

1.2. This Planning, Design and Access will demonstrate that:

- The scheme is in accordance with the relevant development plan policies;
- The design is based on the local character;
- The development is based on robust sustainability principles; and;
- The development is appropriate in all other regards.

1.3. This statement is one of a number of documents and drawings prepared to support this application, and should be read in conjunction with the following reports and drawings:

- Site Plan, Floor Plans and Elevations prepared by Parr Associates;
- An energy, sustainability and waste statement prepared by BPUD Limited;
- A traffic and transportation note prepared by SCP Transport

1.4. The plan below shows the location of the application site within the context of the surrounding buildings on Danesway.



Site Location plan [1:500 scale]

Development Proposals

1.5. This application for full planning permission seeks to provide an additional three bed residential dwelling including garden space and associated off-street parking for a area adjacent to 22 Danesway. This site is adjacent to the car park of the Morrison's superstore.

1.6. In brief the dwelling will include two double bedrooms and one single bedroom, living room, dining room and kitchen. A porch is provided to the front of the dwelling. The design of the dwelling is specifically design to reflect that of the adjacent dwelling built some 10 years ago.

1.7. For clarity the application comprises of the following drawings:

- Ref: 256.01 – Site Plan [1:200]
- Ref: 256.02 – First Floor Plan and Elevations [1:100]
- Ref: 256.03 – Ground Floor Plans, elevations and Section [1:100]
- Ref: 256.04 – Elevation of the Proposal in Context (Long Section) [1:100]

Planning History

1.8. A previous application for this site was refused in 2004 (ref: HPK/2004/0170) and subsequently Appealed and dismissed by the Inspector. In short this was based on policy H1 and the housing oversupply at that point that had resulted in the 'housing moratorium'. The Council had previously recommended refusal based on non-compliance with Local Plan policies H1 and GD4 / GD5.

1.9. Inspector consider that there were three main issues that were addressed at the Hearing;

i. Whether the scheme accorded with the housing location policy (namely policy H1);

ii. The impact on the character and appearance of the area with specific reference to the view from the Morrison's car park (namely policy GD.4), and;

iii. And the impact on the amenity of the surrounding properties (namely GD.5)

1.10. With regard the point i., the Inspector incorrectly identified that this was a Greenfield site. It is considered that this is what is known as a remnant site. The larger housing estates served by Danesway were both given planning permission, which included this site, however, this element was never developed and therefore has been subsequently surrounded by development on all sides. The site is clearly well within

the centre of the Chapel built-up area boundary. It is therefore considered to be in total compliance with policy H1.

1.11. With regard to point ii., in reference to policy GD4, the Inspector concluded that the entirely appropriate in this location. She concluded that the development of this site would replicate the *"tight knit, high density appearance"* that was found in the local area. She concluded that the separation distances were also similar to existing relationships between 22a Danesway and their immediate neighbours. She also concluded that *"the appeal proposal would have no greater impact on the character of views from the car park than these other properties."* This application is submitted in light.

1.12. With regard to Point iii., the inspector concluded that, in the Inspectors opinion by setting the dwelling in front of number 22a Danesway, there would be some loss of sunlight to their ground floor windows and loss of outlook, although she concluded in paragraph 13 of her report that there would not be unacceptable changes to the privacy enjoyed by existing or proposed properties.. This revised application repositions the dwelling and sets it back, and below No. 22a to address these points.

2.0. Site Context and Surroundings

Site Description

2.1. The application site place conveniently in the centre of Chapel-en-le-Frith and occupies a site that is just under 0.1 hectare in size. It is directly adjacent to number 22a Danesway occupying a gap housing site accessed from a disused turning head long-since made redundant when Danesway was extended.

2.2. To three sides the site is surrounded by residential development, mainly dating from last decade of the 20th century. The site itself is relatively flat, however, it does slope marginally from east to west requiring some very limited ground works to create a developable area.

2.3. To the south south-east is the Morrison's superstore car park. This is separated from the site by a heavily vegetated embankment which means that the site sits some three metres above the car park level. To the northern edge of the site runs a public footpath that links Danesway to the car park. This is enclosed by 1.8m high close boarded fences and it is difficult, as a pedestrian, to see either the site or vice versa.



Site when viewed from the Morrison's Car Park



22 Danesway with the site shown to the left of the photographs



A general photograph showing the surrounding residential development along Danesway



Access to the site will be taken from the disused turning head, through the fence to the left of the picture

2.4. The surrounding residential area (including number 22a) comprise a series of two storey residential dwellings with gables to both the side and the front, with a mixture of local stone finishes, cream / white render and with dark grey roof tiles (concrete product). In all cases parking is provided on driveways to the front of the dwelling, with a small front garden. The density of the surrounding development is reasonably high, in excess of 30 dwellings per hectare.

Site Accessibility

2.5. The site will be accessed directly from Danesway. Danesway is a well proportioned estate road which is in excess of 5 metres wide. Parking is provided along the road on drives, in parking pull-in along with some incidental on-street parking.

2.6. Pedestrian access to the site is also via footpaths on Danesway, however, the public footpath link to Morrison's car park provides a 'shortcut' to the centre of Chapel-en-le-Frith (Market Street), offering a range of shops and services within an easy 5 minutes walking distance, these include both convenience and comparison types.

2.7. Market Street also offers a number of daily bus services connecting Whaley Bridge and New Mills, which are more regular during school term times. The 199 Skyline connects Buxton Railway station with Stockport and Manchester Airport on a 30 minute schedule and offers a late night service. A number of long distance cycle trails are also early accessible from Chapel-en-le-Frith but these are mainly for recreational purposes.

3.0. Response to Relevant Policy

3.1. This is not designed to be a comprehensive policy assessment but highlights what we consider to be the most important policies for this development, and those that have been used to assist in the design and development of this planning application.

3.2. We acknowledge that the RSS still remains part of the operational development plan until removed by legislation, however, in this instance, only the National Planning Policy Framework (NPPF) and the 2005 High Peak Local Plan are relevant to this scale of development (a single dwelling).

3.3. A study of the emerging Joint Core Strategy Draft (2010) does not appreciably change the policy climate for the determination of this application, however, where relevant demonstrates the most up-to-date policy context and is referenced alongside the current Local Plan.

3.4. The paragraphs in *italics* demonstrate how this proposal accords with the relevant policy.

The National Planning Policy Framework (2012)

3.5. **Paragraph 49** of the Framework reiterates the presumption in favour of sustainable housing development; [my emphasis] specifically where the local authority has an out-dated plan cannot demonstrate a 5 year housing supply. The presumption in favour of sustainable development is further reiterated in **paragraph 197** within the instructions for determining planning applications.

3.6. *This is a highly sustainable development, which offers an opportunity to deliver a development on a windfall remnant within the very heart of the Chapel Town Centre. The scheme both is sustainably located and exhibits high quality design, as well as being designed to deliver Code for Sustainable Homes Level 4 and Lifetime Homes.*

3.7. **Paragraph 56** sets out the importance of high quality design in new development. **Paragraph 57** goes on to stress the importance of inclusive designs for new development. **Paragraph 61** states that high quality design goes beyond the physical appearance of a building, but is importantly about addressing the connections between new development within the natural, built and historic environment.

3.8. Section 4 provides more information on these matters; however, in summary this development is able to offer a high quality design solution for this remnant site. The design responds to the local character, replicating the scale and mass of the adjacent dwelling, but through careful siting ensures that the privacy and amenity of the neighbour are retained. The materials have been chosen to reflect the surrounding dwellings along Danesway – stone and slate grey titles

The High Peak Local Plan (2005) and Associated Documents

3.9. **Policies GD4, BC1 and H11** states that planning permission will be granted subject to the development exhibiting an sympathetic relationship with the local character in terms of scale, layout, density, form, height, proportion, design, colour and materials. This is reflected in the Draft Joint Core Strategy in policy CS5 although this introduces an additional requirement to introduce waste management and renewable energy technology where possible.

3.10. *The design of this development has changed little from the original scheme submitted and appealed in 2004, using both a similar suite of materials and footprint. Some changes have been made to ensure that the amenity issues highlighted in the Inspectors report are addressed by setting the dwelling slightly below that of the adjacent dwelling and ensuring that the principle habitable rooms face away from 22a Danesway. This also maximises passive solar gain.*

3.11. *The scheme offers an infill development with reflects the scale and mass of the surrounding developments when viewed from Danesway or from the Morrison's car park. Any visual impact from the latter is now somewhat removed as the car park embankment is heavily planted. The Inspector concluded in paragraph 11 that the previous development was "in accordance with the relevant parts of L.P policy GD.4".*

3.12. **Policy GD5** deals with matters of amenity to surrounding properties. The policy explains that planning applications that incur a loss of privacy, general amenity, loss of sunlight, are of an overbearing nature, or impact on traffic safety should not be approved. **Policy GD7** states that the design, layout and landscape of any proposal should aim to minimise the opportunities for crime.

3.13. *The design of this dwelling is further considered in chapter 4 of this statement, however, in short, it has been designed based on previous feedback from the Council and 2004 Inspectors report with regard to the protecting the amenity of the residents of 22 Danesway. In short, the habitable rooms are all designed to look south and away from the habitable rooms of number No. 22a, with daylight to the upper floor windows adjacent to No. 22a provided only by rooflights which removes any change of overlooking. The building is also set further back and below No. 22a to further reduces immediate issues. The dwelling cannot therefore be described as impinging on their amenity.*

3.14. **Policy GD6** states that all applications should exhibit a high standard of hard and soft landscaping which is within the character of the local area and uses native species. As this is an infill development within an urban location there is no guidance from the Landscape Character SPD on these matters.

3.15. *This application provides a medium sized garden to the rear and appropriate parking area to the front of the proposed dwelling. Landscaping is limited as there is a well established planted embankment to the south offering privacy. A small area of native*

planting is provided at the western edge of the rear garden to offer privacy to this dwelling and properties to the rear. Boundaries to the rear are defined by close boarded fencing for safety and security.

3.16. **Policy H1** sets out the locational criteria for new housing development. It states that developments within the built up area boundaries (as defined by GD2) and on previously developed land will be accepted. Policy CS13 of the draft Core Strategy introduces the need to built 535 new dwellings in Chapel, Whaley Bridge and New Mills in the plan period with a focus on infill development.

3.17. *This scheme occupies a site that is surrounded by previous development on all four sites and therefore is correctly described as a 'remnant'. It is within the very centre of Chapel and therefore clearly within the built-up area boundary. Whilst only a 'windfall' site, it will contribute to the provision of family homes within the centre area without having to resort to out-of-centre Greenfield development. It is therefore considered to be in accordance with the overarching objectives within policy H1.*

3.18. **The Interim Housing Statement (2009)** introduced in support of H1 introduces five point criteria (as part of a checklist) to determine the acceptability of housing development in High Peak. The five points can be summarised as follows:

a. The suitability of the site for housing, including a consideration of environmental sustainability

b. Using land effectively and efficiently

c. Is in line with the local need and demand and will not undermine housing objectives;

d. Offer a good mix of housing, which reflects accommodation needs; and;

e. High quality housing – in terms of design and performance.

3.19. *The following five paragraphs explain the response to criteria a – e above and demonstrate how this development proposal is totally in accordance with the criteria despite being a single dwelling:*

- *The site is suitable to provide a three bedroomed family home in the centre of Chapel town centre both in accordance with policy H1 and the guidance contained in the NPPF. This provides easy access to shops, services and public transport connections. The dwelling is also designed to meet Code for Sustainable Homes (CfSH) level 4 and further reduces its energy needs through the use of an air source heat pump, limited use of photovoltaic panels and passive solar gain from south-east facing windows. This is in line with the Council's expectation for a 10% onsite generation.*

- *This site is a windfall remnant as part of a wider brownfield development. The site occupies a site within the built-up boundary of Chapel-en-le-Frith and*

removes some pressure for Greenfield development (albeit in a very small way).

- *The dwelling proposed is a three bedroomed family house with a medium sized garden space. The 2009 Housing Needs Survey highlights a need for family homes within Chapel-en-le-Frith and the 2007 Housing Needs Survey within the Peak Sub-Area as a whole.*
- *This point is not applicable as this is a single dwelling – see response to criterion c.*
- *The design of the dwelling is designed to reflect both the requirements of the site and the nearby townscape. The design and materials used have been chosen to match the adjacent dwelling (2a2 Danesway). The dwelling is designed to deliver the Code for Sustainable Homes level 4 as well as offering Lifetime Homes standards within.*

3.20. **Policy TR1** introduces a policy aimed at reducing the need for travel, including widening transport choice (beyond the private car) and successfully integrating transport with land use.

3.21. *This site is within easy walking distance of all the shops and services within Chapel town centre. The public footpath connecting Danesway with the Morrison's Car park provides the most direct access an off road route to Chapel centre. The centre also provides access to all the bus route connections outlined in section 2. This site can therefore be considered highly sustainably located.*

3.22. The **Chapel-en-le-Frith Housing Needs Survey** (2009) states that there is short term need for housing. Whilst mainly focusing on affordable housing it identifies a shortage of family homes (3 bed) and smaller units for retired people.

3.23. *Whilst this is only a single dwelling it is of the three-bed family house type that is in line with the Housing needs Survey. This replicates the existing adjacent dwelling number No. 22a and makes best use of the site available.*

4.0. Development Parameters

4.1. The following paragraphs set out the details of the developments parameters as set out in circular 01/06.

Use and Quantum

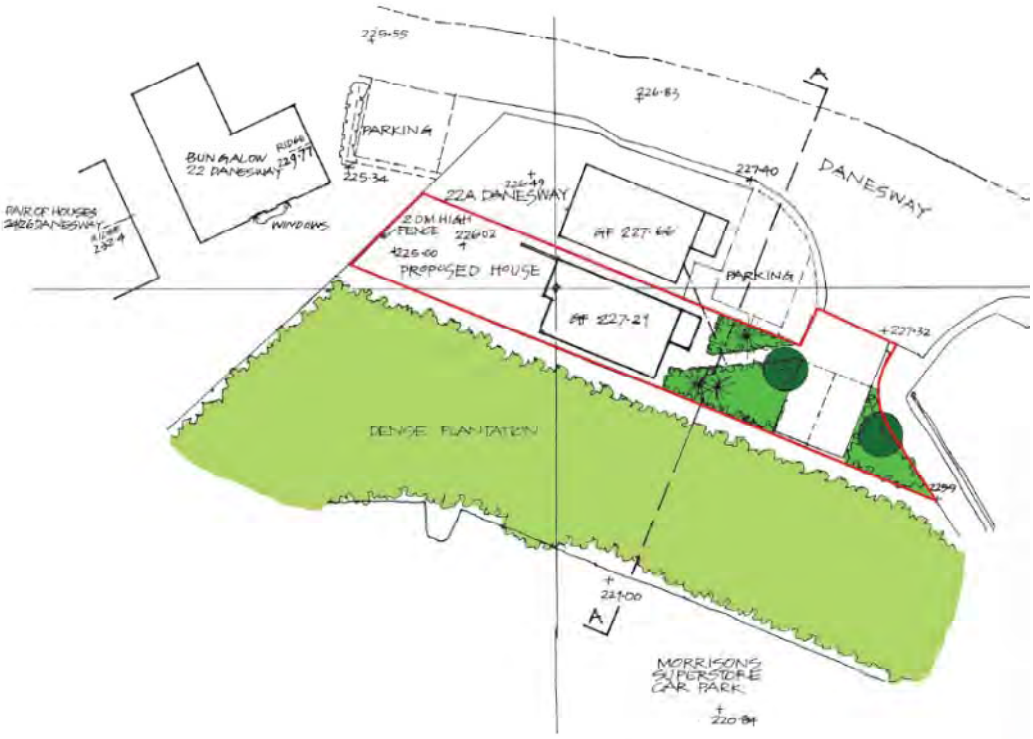
4.2. This application is for a single, detached residential dwelling use class C3. For completeness, this dwelling as a total floor area of 110 m/sq, and comprises of three bedrooms, a family bathroom, a kitchen / diner, living room and small porch to the front of the dwelling. A medium sized garden is provided to the rear. Two parking spaces are provided in line with Derbyshire Country Council standards.

Layout

4.3. This plot sits directly adjacent to number 22a Danesway, which runs parallel to the road. The new dwelling sits centrally on the plot, slightly forward of the adjacent property 22a Danesway. Unlike the previous application for this site, the building is set a little further backwards in order to present a better relationship with the existing property, offering views from all habitable rooms in excess of 45 degrees (for both properties) allowing for little or no loss of daylight or aspect and ensuring sufficient amenity.

4.4. A cross section shows the front elevation of both dwellings in relation to one another, showing the slightly lower position of the new dwelling against number 22a. A shared access passage is shown between both properties, within this site, allowing access to the rear of both properties. Number 22a currently (in technical respects) takes access from a gate directly onto Danesway.

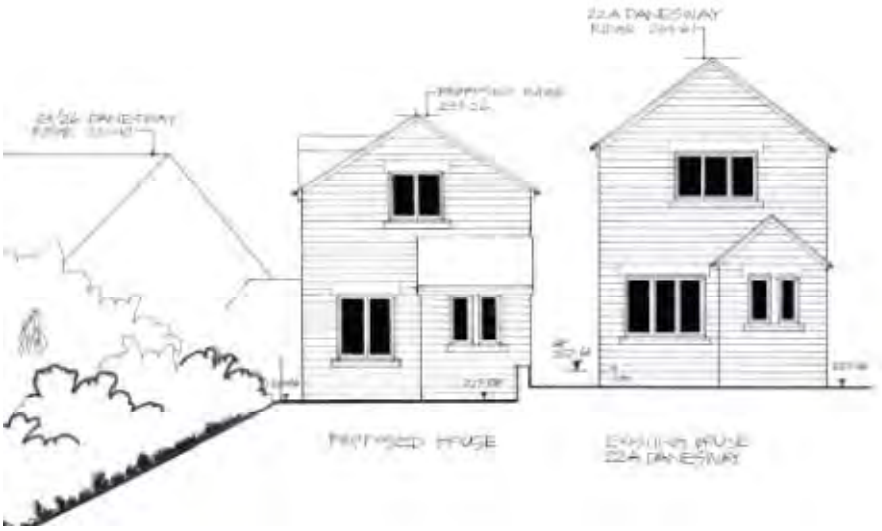
4.5. It is considered that this clearly addresses any concerns raised by the Inspector in her report in 2004. Care has been taken to design a building plot that can be sufficiently internally well lit from only three elevations to limit any overlooking of the adjacent property. Parking spaces are provided to the front of the dwelling and are well overlooked. These are away from the principle access route to the front porch.



Site Plan and immediate surroundings (Not to scale)

Scale

4.6. This development is a two-storey dwelling with a height to ridge of 6m and a height to eaves of 4.3m. The scale and mass of the proposal is reduced in relative terms as it is set approximately 0.5m below the ground floor level of the adjacent property (22a Danesway) as well as using the roof space to further reduce its mass (using two dormer windows). Albeit collectively this is only 1.5m amount this offers a better relationship between the two dwellings utilising the existing topography.



Extract from the Long Section showing the relationship in scale and mass of the Existing number 22a and the proposed dwelling

Landscape

4.7. This application provides a medium sized garden to the rear and appropriate parking area to the front of the proposed dwelling which is accessed from the main highway. To the front, a grassed area and paving offer level access to the proposed dwelling.

4.8. The existing landscape embankment to Morrison's car park will remain intact, offering privacy and a screen from any noise or light spillage from the car park itself. A close boarded fence to the southern boundary and with number 22a Danesway will provide sufficient privacy for the garden which is of a medium size.

4.9. The shared communal passage (providing access to the rear) will be paved to allow wheeled bin access to the rear for storage and security. A brick built curtain wall to the rear of the propriety ensures that a secluded rear garden area is provided for the new property, whilst maintaining the privacy of 22a Danesway.

Appearance

4.10. This is a two storey property with a roof that pitches left to right offering a gable to the front of the dwelling. This is comparative with a number of other local dwellings (such as number 22a) which all offer a gable to the front. The pitch of the roof, whilst not identical to number 22a is designed to reflect the scale and property on of that buildings pitched roof. Two south facing dormer windows allow the use of the headroom within the roof pitch and reduce the overall mass.

4.11. This is shown on the accompanying cross-section. The windows are predominantly within the south-east overlooking the treed embankment to both maximise the solar gain and to maintain the privacy of the adjacent property, through they reduce any impact of possible overlooking or loss of privacy to the adjacent dwelling.



Side and Rear Elevations showing the dormer windows, southern facing principle aspect and the Unique window arrangement for bedroom 3 / office

4.12. To the front of the property, a small lean-to porch offers a clear entrance feature, with its windows and door designed to look away from the adjacent property further ensuring that the privacy is maintained in accordance with the relevant policy. The main living room windows are limited within the front elevation of the dwelling (again to preserve the amenity of the two dwellings – existing and proposed), but larger picture windows in the south-eastern elevations maximise daylighting into this principle habitable room.

4.13. Bedrooms One and Two have the benefit of large south facing dormer windows and are both clearly double in size. The third bedroom (a single or office) has a more unique window arrangement including a slight built out on the rear elevation with a south facing window, opaque glass window and roof light.

4.14. The building is almost exclusively faced in a natural stone riven finish with surrounds to match the existing dwellings in the area. For clarity, and in the avoidance of doubt, the final materials palette is as follows:

- *Roof tiles* – Dark grey concrete tiles
- *Walls* – (Reconstituted) Riven Stone finish to match local stone colour
- Details and Surrounds – (Reconstituted) Natural Stone details
- Windows – Wooden with white painted finish
- Other Details – Wooden trim stained in a neutral / natural woodstain (finish to be determined and agreed with the LPA).

5.0. Access and Movement

Access and Parking

5.1. Vehicular and pedestrian access is taken directly from Danesway using the now disused turning head. The site is provided with parking for two motor vehicles to the front of the property and a hard point within the rear garden allowing for the security of two bicycles in line with the Code for Sustainable Homes requirements.

5.2. Vehicle access to the site is taken from a simple drop kerb, an unlike previous applications, does not propose any additional highways works. This approach is totally in line with Manual for Street. Vehicles will reserve either into or out of the property directly from the highways as per the other properties along Danesway. The highways consultant is confident that visibility is adequate.

5.3. The front of the dwelling has been landscaped to deal with the change of levels at the front of the site. An entrance pavement runs to the front porch door of the dwelling and is marginally sloped to accommodate wheelchair, the less able and pushchairs. Level access from this is provided throughout the ground floor in line with Lifetime Homes.

Inclusive Access

5.4. The design of the site and the building is designed to meet with part M of the Building regulations, with specific reference to BS8300 and the Disability Discrimination Act. The doors are either all wide enough to accommodate wheelchairs or other mobility impaired or can easily to accommodate to such with minor alterations.

5.5. The building has also been designed to accommodate Lifetime Homes standards, allowing ease of access and adaption of the property to accommodate the needs of the elderly and the mobility impaired throughout their lives, including possibilities for introducing lifts and hoists as necessary.

6.0. Conclusions

6.1. It is concluded that in both planning and design terms this scheme is totally appropriate to its immediate context. The scheme accords fully with all relevant policy and specifically addresses the concerns raised by the Inspector in her report from 2004. The scheme delivers a high quality, sustainable family home. The NPPF states that there should be a presumption in favour of sustainable housing development – this statement clearly demonstrates how this is the case with this application.

6.2. This scheme has been designed to work effectively alongside number 22a Danesway, in particular ensuring that it does not impinge on the amenity and daylight enjoyed by the adjacent dwelling, and ultimately ensuring that it does not form an overbearing presence at that location. The design of the building and the site are totally in accordance with this town centre location, helping to replicate the tight knit, dense settlement core that was highlighted by the Inspector in 2004.

6.3. It is therefore considered that there is can be no reason why this planning application should not be given approval on this remnant site.

Appendix A

Previous Application Inspectors Report

24/05/05 Copy for Att. JOHN SCOTT FROM 0161-831-6501 S. ROBINSON

Appeal Decision

"22A Daneswray" Site 1

Hearing held on 14 April 2005
Site visit made on 14 April 2005

by M Middleton BA(Econ) DipTP DipMgmt MRTPI

an Inspector appointed by the First Secretary of State

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Date
-3 MAY 2005

Appeal Ref: APP/H1033/A/04/1153930
Adjoining 22A Danesway, Burrfields, Chapel-en-le-Frith, Derbyshire, SK23 0RF

- 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 W J Little against the decision of High Peak Borough Council.
- The application Ref HPK/2004/0170, dated 23 February 2004, was refused by notice dated 13 April 2004.
- The development proposed is one detached house.

Summary of Decision: The appeal is dismissed.

Procedural Matter

1. At the Hearing an application for costs was made by W J Little against High Peak Borough Council. This application is the subject of a separate Decision.

Planning Policy

2. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 says that where regard is to be had to the development plan, the determination must be made in accordance with the plan unless material considerations indicate otherwise. The Development Plan for the area includes the *High Peak Local Plan 2005* (LP). Policy H.1 sets out the principles of housing provision and among other considerations points out that residential development will not be permitted on greenfield land except for dwellings approved under Policies OC7, H2, H4 and H10.

3. In the context of this appeal, Local Plan Policy GD.4 says that planning permission will be granted for development provided that its scale, siting, layout, density, and form will be sympathetic to the character of the area and there will not be undue detrimental effect on the visual qualities of the locality. Policy GD.5 says that planning permission will be granted for development provided that it will not create unacceptable loss of privacy or general amenity, including daylight, sunlight and overbearing effect.

Main Issue

4. Against this background I consider the main issues in this appeal to be:
   (a) whether the appeal proposal accords with current housing location policy and if not whether there are any material considerations of sufficient weight to outweigh the presumption in favour of determining planning appeals in accordance with the development plan.
   (b) The impact of the proposal on the character and appearance of the area.

Reasons

Housing location policy

5. The preamble to LP Policy H.1 defines "greenfield" as undeveloped land. This definition conforms to the advice in Planning Policy Guidance Note 3 (PPG3): *Housing,* which in Appendix C defines previously developed land as that which is or was occupied by a permanent structure and associated fixed surface infrastructure, including the curtilage of the development. It was agreed at the hearing that the appeal site, which is being used as a part of the garden of No. 22A Danesway, does not form a part of the curtilage of that dwelling and was previously used for agricultural purposes. It is therefore greenfield land. The proposal does not involve the reuse of a building in the countryside, is not located in Buxton or Glossop and would not provide affordable housing to meet local needs. It therefore does not fall to be considered under any of the exceptional policies listed in LP Policy H.1 and is contrary to that policy.

6. I must now consider whether there are any material considerations sufficient to outweigh the presumption in favour of determining appeals in accordance with development plan policies. The appellant referred at the hearing to the length of time that had passed between making the appeal and the date of the hearing, pointing out that Policy H.1 was not a part of the emerging local plan in June 2004 when the appeal was made. In his opinion that fact should be a material consideration that outweighs Policy H.1.

7. However, although the new version of the local plan was not adopted until 31 March 2005, the Inspector's report on objections to the High Peak Local Plan, which highlighted the oversupply of housing land and recommended changes to housing policy, was received by the Council and published in the summer of 2004, soon after the appeal was made. Although I understand the appellant's frustration over the long period taken to determine this appeal and the changes to planning policy that have occurred during that time, I must determine the appeal in the context of the relevant planning policy and advice that exists at the time of my decision and can attach little weight to this consideration.

8. The site is used as a garden and in its current state does not detract from the appearance of the area. Additionally, notwithstanding my observations below, I do not consider that the location of a building on the appeal site would have a positive effect on the character and appearance of the locality to the extent that it would outweigh my findings with regard to LP Policy H.1. I therefore conclude that the appeal proposal does not accord with housing location policy and there are no material considerations of sufficient weight to outweigh the presumption in favour of determining planning appeals in accordance with the development plan.

Character and appearance

9. The Council considers that the proposal would appear dominant when viewed from Morrisson's car park and cramped in the street scene along Danesway. The proposed dwelling would be similar in size and design but set at a lower level than its close neighbour No. 22A. With its overall height some 3.1 metres lower than that dwelling it would be silhouetted against it in some views from the adjacent car park. The vegetation on the slope above the car park would also screen the lower part of the building from views at car park level, whilst the timber fence adjacent to the footpath that links Danesway to the superstore would screen it from views along the lower parts of this pedestrian link.

10. There are houses above the car park and at a similar distance from it, to the east of the appeal site. These, No. 22A and other dwellings to the south-west, create a sense of enclosure around the southern sides of the car park. In my view the siting and form of the appeal proposal would have no greater impact on the character of the views from the car park than these other properties.

11. The appeal dwelling would appear to the side of No. 22A when seen in views along Danesway. The distance between these two dwellings would be similar to that between Nos. 20 and 20A to the east and others to the south-west. The overall development that the appeal site and its neighbour are a part of presents a tight knit, high density appearance. In this context I do not agree that the scale and layout of the appeal proposal would appear cramped or that the proposal would have an undue detrimental effect on the visual qualities of the locality. In my view it is therefore in accordance with the relevant parts of LP Policy GD.4. Notwithstanding my conclusion on character and appearance, this does not outweigh the harm to housing policy in the Borough that I have found above.

Other Matters

12. The front elevation of the proposed two-storey dwelling is set in front of its neighbour so that the front of the single storey porch would be about 3 metres in front of the neighbour's main living room windows. Although the appeal building is set below the neighbour's dwelling I nevertheless consider that it would have an effect on the amount of light received at the neighbour's front ground floor window, particularly given the appeal building's location to the south west. More particularly I am concerned about the visual impact the proposal would have on the neighbour's outlook when its north-eastern corner is viewed from her lounge window and I consider that the proposal does not accord with LP Policy GD.5. This gives added weight to my conclusion above that this appeal should be dismissed.

13. I do not consider that there would be unacceptable changes to the privacy enjoyed by the occupant of No. 22A or to the living conditions of the occupant of No. 22 as a result of the proposal. Although access would be taken from the turning head, in my view the proposal would not adversely affect highway and pedestrian safety.

Conclusions

14. For the reasons given above and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Formal Decision

15. I dismiss the appeal.

INSPECTOR