The Planning Inspectorate

Appeal Decision

Site visit made on 24 March 2014

by Jonathan Hockley BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 31 March 2014

Appeal Ref: APP/H1033/D/14/2214451
77 Corbar Road, Buxton, Derbyshire SK17 6RJ

- 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 David Chaplin against the decision of High Peak Borough Council.
- The application Ref HPK/2013/0636, dated 13 November 2013, was refused by notice dated 15 January 2013.
- The development proposed is garage and store.

Decision

1. The appeal is allowed and planning permission is granted for garage and store at 77 Corbar Road, Buxton, Derbyshire SK17 6RJ in accordance with the terms of the application, Ref HPK/2013/0636, dated 13 November 2013, subject to the following conditions:

    1) The development hereby permitted shall begin not later than three years from the date of this decision.

    2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Survey CHAPLIN 021 Rev D; Proposed Layout CHAPLIN 022 Rev B; Plans, Section and Elevations CHAPLIN 023 Rev C; Site Plan CHAPLIN 024 Rev B.

    3) The materials to be used in the construction of the external surfaces of the garage and store hereby permitted shall match those used in the host property.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area.

Reasons

3. Corbar Road is an attractive residential road, with substantial villas located on the northern side of the street, and variously designed houses on the southern side of the road. No 77 and its attached neighbour, No 75 Corbar Road, are situated off a steep private drive located off Corbar Road. The drive turns so that No 77 and No 75 are located behind the properties on the main stretch of Corbar Road. As a result of this, the appeal site is not particularly prominent in the local area, and is barely visible from the public road. No 77 is an attractive

building and is constructed with natural stone to first floor level, and rendered above. The windows at first floor level have brick detailing around them.

4. The proposal seeks to construct a new garage and store building, with a flat roof to be used as a patio area. At present the site is occupied by a pre-fabricated garage and shed, and due to the topography of the area, is set into the hillside below the level of the main property. There is extensive mature landscaping set in and around the existing cutting. The proposed garage and store would largely fit into the same excavation that the existing buildings presently occupy, utilising the existing retaining walls on three sides of the cutting. The garage floor would be set slightly lower than the existing excavated area, and the patio area would be set slightly higher than the garden to the rear of the proposal, with one step required to access the patio from the lawn.

5. The proposed development has been designed to match the host property as far as possible, with natural stone construction to first floor level, vertically boarded timber garage doors, and render to the store level of the proposal, with brick detailing set around two proposed windows. The use of similar design and materials to the host dwelling, combined with its setting lower than the main property would ensure that the proposal would complement yet remain subservient to the host property. Although the flat roof design is not particularly characteristic of the surrounding area, the effect of this would be lessened by the proposed glass balustrade on the edge of the patio and also by the extensive screening already in place around the site.

6. Whilst the proposal would be quite a substantial building, the positioning of the proposed garage and store within the existing excavated area and the existing landscaping would also serve to soften views of the proposal and ensure that the scale and form of the building would fit comfortably into the surrounding area and the street scene.

7. I therefore conclude that the proposed development would not have an adverse effect on the character and appearance of the area. The proposal would comply with saved Policies GD4 and H14 of the High Peak Local Plan (March 2005), which, amongst other things, seek to ensure that the scale, siting, form, design and materials of new development is sympathetic to the character of the area and that ancillary buildings respect the character of the original building. The proposal would also comply with the National Planning Policy Framework, which has as one its core planning principles that planning should always seek high quality design and take account of the different roles and characters of areas.

Conditions and Conclusion

8. The Council consider that conditions should be imposed on any consent granted to cover implementation and materials. I agree with both of these conditions in the interests of proper planning and to ensure that the proposal has regard to the character and appearance of the area. I have also imposed a condition concerning compliance with plans for the avoidance of doubt.

9. The Government's Planning Practice Guidance was published on 6 March 2014. The content of the Guidance has been considered but in the light of the facts of the case the document does not alter my conclusions

10. I note that the Council states that a Conservation Area lies around 25m away from the appeal site. However, I have seen no evidence to suggest that there would be harm to the setting of this Conservation Area from the proposed development and in any event I have concluded that the proposal would not have an adverse effect on the character and appearance of the area.

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

Jon Hockley

INSPECTOR