1. **Reason for the Report:** To inform members of appeals lodged and decided since the last meeting of the Development Control Committee.

2. **Recommendation**
   2.1 That the report be noted.

3. **APPEALS LODGED**
   None

4. **APPEAL DECISIONS RECEIVED**

   **Application No.** HPK/2017/0515
   **Location:** Reddish Barns, Reddish Lane, Whaley Bridge, Derbyshire, SK23 7FY.
   **Proposal:** construction of a private dwelling house
   **Level and Date of Decision:** Delegated
   **Recommendation:** Refuse
   **Decision:** Refused
   **Appeal Decision and Date:** Appeal dismissed on 1st March 2019
Method of Decision: Written Representations

Main Issues:

- The character and appearance of the area, including the effect on the setting of a non-designated heritage asset; and
- The living conditions of future occupants, with particular reference to light pollution and shading from trees.

Conclusions:

The Inspector concluded:

- The Design Guide further advises that with respect to doors and windows, ‘traditional buildings tend to have a simple, restful appearance as a result of using a similar size and proportion of opening throughout; limiting the number of openings; arranging the openings harmoniously, often in a formal, symmetrical manner and keeping them away from corners.’ In this case, the façades to three sides of the building would be largely devoid of windows or other relieving features, primarily to address potential light pollution from the adjacent floodlights of the MUGA. However, as a result, the building would appear as a stark, imposing structure, at odds with the cottage-like scale and character of the adjacent buildings.
- In contrast to the other elevations, the southern elevation would be heavily glazed with expansive full height windows to both floor levels. This elevation would be seen from the shared access road, from the school playground and from dwellings in Mereside Gardens. Whilst the reasons for this approach are apparent, the resulting appearance would be distinctly uncharacteristic of the simple, traditional patterns of fenestration seen on neighbouring buildings, or the expected solid-to-void ratio set out in the Design Guide. The dwelling would have a disconcerting and overbearing presence in views from the school in particular, through the size and openness of the facing elevation. When lit at night, the elevation would be a prominent and discordant feature in an area lacking street lighting.
- Given my considerations above, the introduction of a building of the scale and prominence proposed would alter the historic curtilage relationship between the appeal site and the adjacent former farm buildings. However, there are already intervening car port structures between the farm buildings and the appeal site, which interrupt the intervisibility and relationship between them. Therefore, whilst the proposal would have an adverse effect on the setting of the non-designated farm buildings, the harm arising would be limited. For these reasons, the proposal would fail to preserve the character and appearance of the area and would harm the setting of a non-designated heritage asset.
- Whilst I find that the proposed accommodation would not be adversely affected by light pollution, the long term living conditions of future occupants of the dwelling would be adversely affected by shading from adjacent trees.

Officer Comment

- This is a good decision for the Council and it is encouraging to see weight given to the newly adopted Design Guide as well as harm to heritage assets.

Application No. HPK/2018/0150
Location: Land at Lambgates Lane, Hadfield Glossop.

Proposal: construction of 4 detached houses

Level and Date of Decision: Delegated

Recommendation: Refuse

Decision: Refused

Appeal Decision and Date: Appeal Allowed on 14th March 2019

Method of Decision: Written Representations

Main Issues:

The main issue is the effect of the proposal on the character and appearance of the area.

Conclusions:

The Inspector concluded:

- The Council’s reason for refusal centres on the design of the dwellings, which it describes as having ‘suburban design with a prominent frontage gable feature, wide footprint and steeply pitched roof’, which it considers would contrast with ‘the existing situation of a predominance of terraced buildings in linear rows.’ The appellant points out that the design of the dwellings takes reference from those on Valemount, a residential development to the rear of the appeal site. The dwellings would be laid out in a linear pattern with a slightly recessed building line to the dwellings on Plots 1 and 2.

- The centre of Hadfield has several streets which spur from Station Road and comprise mainly linear patterns of terraced houses. Lambgates and Osbourne Place to either side of Lambgates Lane are the nearest examples. However, from my observations, I find Lambgates Lane to be quite different in its character and appearance.

- I find that the lane does not display the same uniform urban grain as nearby streets. In my view, it is a transitional area in a backland setting with intermittent and diverse built form.

- I acknowledge the Council’s views on the design, however given the varied built form and transitional nature of Lambgates Lane, there is scope, in my view, for dwellings of different designs to co-exist.

- For these reasons, I find that the proposal would preserve the character and appearance of the area.

Officer Comment

- Whilst this if obviously a disappointing decision, it is considered that Design matters will always be to some degree subjective and on this occasion the Inspector did not share the concerns of officers.