

APPEAL BY MRS JENNY DERRICOTT AGAINST THE DECISION OF THE COUNCIL TO REFUSE PLANNING PERMISISON FOR A REPLACEMENT DWELLING AT SHETLAND RISE, TOP ROCK ROAD, ASHLEY

Application Number **15/00397/FUL**

LPA's Decision **Refused by delegated authority on 4th August 2015**

Appeal Decision **Dismissed**

Date of Appeal Decision **23 December 2015**

The Inspector considered the main issue to be the effect of the proposal upon the character and appearance of the area.

In dismissing the appeal the Inspector made the following comments:

- Whilst the existing bungalow is elevated above Top Rock Road, its scale, massing and distance from the road is such that it does not have a dominating effect on the landscape.
- In contrast to the above, the proposed dwelling would be significantly taller than the existing dwelling, and it would be positioned much closer to Top Rock Road. Taking into account the width and height of the proposed dwelling, coupled with the difference in levels between the site and the road, the dwelling would appear unduly prominent and dominant. These impacts would be exacerbated by the fact that the dwelling includes large expanses of roofs, dormers, chimneys, different roof designs and a clock tower. This would be in stark contrast to the simple and utilitarian design of the existing bungalow with its low and unbroken roof line.
- The immediate pattern of development around the appeal site reflects the topography of this rural area. As the land increases in height, so does the height of the dwellings, and this gives the area part of its distinctive character. The Inspector did not share the appellants' view that it would be acceptable to match the ridge height of the residential properties at higher level, as this would represent an unacceptable departure from the existing pattern of development which runs with the topography of the area. The existing bungalow currently nestles behind trees when viewed from number 4 Rock Lane, thereby maintaining the essentially open and rural character of the area. In contrast, the proposal would appear dominant and prominent in this landscape setting, and it would fail to accord with Policy N18 of the Local Plan. The proposal would be conspicuous and dominant when viewed from both immediate and longer distance views.
- Whilst there are some larger dwellings in the area, these are generally positioned on higher ground. On lower land, the majority of residential properties are bungalows. The proposed dwelling would represent a stark and unacceptable contrast to the scale and design of development along Top Rock Road.
- The tennis pavilion would create an unacceptable scale and massing of development on the site and the tennis courts would add to the view that overall the scale and massing of proposed development would cause harm to the character and appearance of the area.
- In respect of Paragraph 7 of the National Planning Policy Framework, there are three dimensions to sustainable development: economic, social and environmental. Whilst the erection of a replacement dwelling would generate some employment at demolition and construction stage, these economic benefits would be short term. The proposal would comprise a replacement dwelling, and so the contribution to the supply of houses in the Borough would be neutral. Therefore the proposal would not result in significant social benefits and for the reasons outlined, the proposal would have a detrimental impact on the character and appearance of the area and would cause harm to the environment.
- The proposal would cause harm to the character and appearance of the area, and would not accord with the sustainability and design aims of Policies N17 and N18 of

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the Local Plan; Policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026; nor with the National Planning Policy Framework.

Recommendation

That the decision be noted.

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