



Appeal Decision

Site visit made on 19 September 2016

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 12 October 2016

Appeal Ref: APP/P1045/W/16/3148727

Brailsford House, Main House, Brailsford, Derbyshire, DE6 3DA

- 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 E, Mrs E and Miss A Beadsmoore against the decision of Derbyshire Dales District Council.
 - The application Ref 15/00617/FUL, dated 20 August 2015, was refused by notice dated 29 October 2015.
 - The development proposed is a house and garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The Council have referred to the alteration of the curtilage listed gateway. The appeal is made only on the basis of the submitted planning application and not in relation to any application for listed building consent.

Main Issue

3. The main issue for the appeal is the effect of the proposal on the setting of the Grade II Listed Buildings, Brailsford House and The Old Coach House.

Reasons

4. The site lies within the curtilage of Brailsford House, a Grade II listed building, and to the rear of a further listed building, The Old Coach House. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
 5. The appeal site lies within a ribbon of residential development which stretches from the centre of the village into open countryside. Properties vary in age and style and in how they address the road. In front of the appeal site, but set back from the road, sits Brailsford House. It is a 2 storey brick building which has been painted white, and which has a plain tile hipped roof. I am told that the adjacent Old Coach House is contemporaneous with Brailsford House and has since been extended. It is immediately adjoined by Brailsford Cottage which is a later addition to the listed Coach House and both are also
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painted white with tiled roofs. The Coach House has more ornamentation than Brailsford House, with some stone banding and arched windows. Nevertheless, Brailsford House appears as a larger and historically more "important" building than the associated Coach House. Both listed buildings sit within well established gardens and although they appear to have been much altered from their original form, they nonetheless form a cohesive group and are listed for their group value. The close juxtaposition of the dwellings, their similar appearance, and their established gardens contributes much to their attractiveness. The significance of the assets lies in their relationship with each other, and in the contribution that the group makes to the character of the area and the wider streetscene.

6. The appeal site comprises an area of lawn which sits at a higher level than the dwellings and is enclosed by mature hedging and trees. It would be accessed via the existing access between the two dwellings, which would be widened at the road entrance. The site originally formed part of a much larger plot, which provided an extended curtilage to Brailsford House, but now has the appearance of a large domestic garden.
7. The proposed dwelling would be of considerable size. Although the level of the site would be lowered by around a metre, it would nonetheless appear as a large dwelling which would visually compete with Brailsford House in views into the site. I note that the proposal takes some architectural references from the adjoining buildings. Nevertheless, due to the proportions of the dwelling and its large detached garage, and its position on the site, it would introduce a suburban form of development within the setting of the listed assets, which would erode the hierarchical character of the cluster. This effect would be compounded by the extension and intensification in use of the existing access, which would also have a further slight erosive effect on the relationship between the existing listed assets. As the 2 buildings are listed due to their group value, of which the relationship between the assets is an intrinsic part, the proposal would fail to preserve their setting by diminishing a key aspect of how they are enjoyed.
8. I am also mindful that although the existing garden no longer reflects the historic setting of the assets, it provides openness in which the buildings can be appreciated, and contributes to the attractive spacious character of the building's setting. The amount of built form proposed would have a harmful erosive effect on the qualities of the space in which the buildings are viewed, reducing their attractiveness in public views from Main Road. As the proposal would diminish the contribution the assets make to the streetscene, it would also fail to preserve their setting.
9. The Council have raised concerns in relation to the repositioning of the existing gate piers, which I am told are curtilage listed. I noted on site that these appeared to be of relatively recent construction and so I do not consider that their removal would lead to a loss of historic fabric. The widening of the access would open up the existing frontage to a small degree. I am satisfied that this would not be detrimental to the appearance of the frontage, or cause any significant alteration to the setting of the heritage assets. As the works would allow better views of the listed buildings from the Main Road, this would have a small positive effect on the listed assets.

10. I take into account the Council's concerns that the proposal would lead to a loss of trees along the rear boundary. Due to the extent of excavation close to the multi-stemmed sycamore I consider it is likely that the proposal would lead to the loss of the tree. However, the tree is not subject to any protective designations, and whilst it contributes to the established rural backdrop of the site, it could be removed at any time. It also forms only a very small part of the setting of the listed buildings. This diminishes the weight I can attribute to its retention in this case.
11. Taken together the proposal would have a negative and harmful effect on the setting of the identified listed buildings. The *National Planning Policy Framework* (the Framework) advises that the significance of a heritage asset can be harmed as a result of development within its setting. I therefore conclude that the harm identified to the setting of Brailsford House and The Old Coach House would also harm the significance of the heritage asset. The proposal would not preserve the special interest or setting of Brailsford House and the Old Coach House, and would conflict with guidance within the Framework which seeks to conserve heritage assets in a manner appropriate to their significance. The harm identified would amount to "less than substantial harm" which the Framework advises must be weighed against the public benefits of the scheme.
12. The proposal would provide a single dwelling which I am advised is in a sustainable location, and which would be constructed to high environmental standards in a manner which would deter crime. The Council is currently unable to demonstrate a five year housing land supply. It follows that the provision of an additional dwelling must carry substantial weight. Nevertheless, heritage assets are an irreplaceable resource and the Framework is also clear that in considering the impact of development on the significance of heritage assets, great weight should be given to the asset's conservation. Consequently I conclude that the small contribution the proposal would make to housing supply would be insufficient to outweigh the harm the proposal would cause to the setting of the listed building, and its significance as a heritage asset.
13. I therefore conclude the proposal would fail to comply with national policy outlined in the Framework and with policy NBE16 of the adopted *Derbyshire Dales Local Plan* which has similar aims. I also find that of the other policies put forward by the Council the proposal would conflict with policies SF1(c), SF5 and H1 which together seek to ensure that new residential development respects the character and appearance of the settlement and respects local distinctiveness.

Conclusion

14. The proposal fails to preserve the setting of Brailsford House and The Old Coach House, which are Grade II Listed Buildings. The stated benefits of the proposal would not outweigh this harm. Therefore having regard to all matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR