
Appeal Decision

Site visit made on 28 November 2016

by Anne Jordan BA (Hons) MRTPI

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

Decision date: 30 November 2016

Appeal Ref: APP/R1038/Y/16/3155243

Hill Cottage, Hill Road, Ashover, Chesterfield, S45 0BX

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr and Mrs G Jones against the decision of North East Derbyshire District Council.
 - The application Ref 16/00485/LB, dated 1 May 2016, was refused by notice dated 30 June 2016.
 - The works proposed are single storey side extension and internal alteration.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue for the appeal is the impact of the proposal on the special architectural and historic interest of the Grade II listed building known as Hill Cottage.

Reasons

3. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses. Policy BE7 of the *North East Derbyshire Local Plan* (Local Plan) seeks to ensure that development proposals for the alteration of a listed building respect, preserve or enhance the special interest of the building and amongst other things ensure that elements which contribute to the special character and interest of the building are retained or restored. The policy reflects the statutory duties defined in the Act.
 4. Hill Cottage is a grade II listed building which is in use as a private house. It is a former school dating from 1703 which was comprehensively updated in the late 19th Century. Although it has been part altered from its original form it remains an attractive building with some notable original features including the large window with arched mullions embedded in the western elevation and the large leaded window at first floor at the rear. The building has been enlarged with a first floor addition at the rear which extends over an open area between the rear wall of the dwelling and the retaining wall of the hillside behind. The significance of the asset lies in the antiquity of parts of its fabric, and in how the building has evolved with later adaptation.
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5. The proposal comprises the erection of a single storey flat roofed side addition which would link with an existing underground outbuilding to the side. It also includes the removal of the original rear wall of the dwelling and the use of the space to the rear as living accommodation to be adapted for use as part of a large open plan kitchen.
6. The Council have not raised any objection to the single storey element of the proposal. Having regard to the very limited increase in size of this proposal over that which has been previously approved, I am satisfied that its low form and simple detailing would not detract from the appearance of the front elevation and would not damage the fabric of the existing building.
7. However, the removal of the rear wall of the dwelling would result in the loss of almost all of the rear wall of the kitchen and dining room and this would amount to a significant proportion of the original fabric of the building. The appellant has advised that this has already been much altered. I saw some evidence of repair during my visit but noted that the wall retained much of what appeared to be its original fabric. The alterations would also destroy the original cellular form of this part of the building which would significantly alter the character of a large proportion of the ground floor, which is partly derived from the distinct character and function of each separate room. I take into account that the original plan form of the building has been altered in parts of the building, including the first floor. Nevertheless, the further erosion of the building's original layout that would occur as a result the internal works would be harmful to its historic character and so its significance as a heritage asset.
8. The proposal would affect only a part of the building and so the harm caused to its significance as a heritage asset would thus be less than substantial. The *National Planning Policy Framework* (the Framework) directs that when considering the impact of a proposed development on the significance of a heritage asset, great weight should be given to the asset's conservation. I therefore attribute considerable importance and weight to this harm, which the Framework also indicates should be weighed against the public benefits of the scheme.
9. The proposal would provide enhanced accommodation for the appellant. This is primarily a private benefit, which is proposed to suit the appellant's personal requirements and which would not represent a material benefit to the wider housing stock in this case. I saw no evidence that the existing kitchen was deficient in size, or that it provided sub-standard accommodation. I therefore attribute no weight to this matter as a public benefit and as such it is insufficient to outweigh the harm the proposal causes to the special interest of the listed building and to its significance as a heritage asset. It follows that the proposal fails to comply with national policy outlined in the Framework. It also fails to comply with the policy BE7 of the Local Plan outlined above.
10. In coming to a view I take account of the existing Listed Building Consent¹ for a side extension and for internal alterations. This differs from the appeal proposal insofar as it does not involve the removal of the entire rear wall, which I have identified as being harmful, and includes a smaller version of the side extension. Although I have found that the larger side extension would not harm the significance of the heritage asset, on the basis of the plans provided I

¹ 16/00070/LB

do not consider the internal alterations to be easily separable and so I have not found it practical to issue a split decision in this case.

11. Therefore, for the reasons outlined above, and having regard to all other matters raised, I conclude that the appeal be dismissed,

A Jordan

INSPECTOR