

Appeal Decisions

Site visit made on 17 January 2017

by Siân Worden BA MCD DipLH MRTPI

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

Decision date: 14 February 2017

Appeal A: APP/M9496/Y/16/3160426

Hall Cottage, Baulk Lane, Hathersage, S32 1AF

- 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 Michael Shuttleworth against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0716/0605, dated 1 July 2016, was refused by notice dated 13 September 2016.
 - The works proposed are a rear extension to provide hall, studio, stair to basement and ensuite at a half level, refurbishment of the basement and conversion to habitable space including restoration of original window openings, re-grading of the lawn and access to the basement door.
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Appeal B: APP/M9496/W/16/3160421

Hall Cottage, Baulk Lane, Hathersage, S32 1AF

- 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 Michael Shuttleworth against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0716/0605, dated 1 July 2016, was refused by notice dated 13 September 2016.
 - The development proposed is a rear extension to provide hall, studio, stair to basement and ensuite at a half level, refurbishment of the basement and conversion to habitable space including restoration of original window openings, re-grading of the lawn and access to the basement door.
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Decisions (both cases)

1. Appeal A is dismissed and listed building consent is refused for a rear extension to provide hall, studio, stair to basement and ensuite at a half level, refurbishment of the basement and conversion to habitable space including restoration of original window openings, re-grading of the lawn and access to the basement door.
2. Appeal B is dismissed.

Main Issues (both cases)

3. I consider that the main issues in these cases are:
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Appeal A:

- Whether the proposed works would preserve the listed building or any features of special architectural or historic interest which it possesses.

Appeal B:

- Whether the proposed development would preserve the listed building; and
- The effect of the proposed development on the character and appearance of the conservation area and on the setting of nearby listed buildings.

Reasons (both cases)

Listed building

4. The appeal property is a stone-built detached dwelling close to the centre of Hathersage. It is positioned end-on to Baulk Lane with a walled garden to its front. The house, which together with the boundary wall and gate piers is listed Grade II, is simple in both plan and appearance. The front elevation has an off-centre front door under a plain canopy which is approached by an external staircase. The six equally-sized, visible, windows have distinctive, metal, multi-paned frames. Overall, it is elegant and restrained. Other elevations have a more functional appearance and are plain and uncluttered.
5. The proposal is to construct an extension across the remaining width of the rear elevation. The part adjacent to an existing lean-to would have a glazed roof to enable its use as a painting studio. The part at the outer end would be one and a half storeys with an en-suite bathroom above and a hall and staircase providing a new access point to refurbished rooms on the lower ground floor. In order to make these habitable existing windows in the front elevation would be opened up as well as an existing, unused doorway.
6. The National Planning Policy Framework (the Framework) defines 'significance' as the value of a heritage asset to this and future generations because of its heritage interest and adds that that interest may be archaeological, architectural, artistic or historic¹. The listing description for Hall Cottage records that it was a farmhouse and dates from the late eighteenth century. Thereafter, the description concentrates on its architectural features. To my mind the significance of the building is in its original farmhouse use as well as in its construction.
7. With its mix of materials, different heights, two roof planes, and new doorway, the proposed extension would be a complex construction. It would thus be out-of-character with the style of the existing dwelling. To the front banking would be removed to open up and expose the basement windows. The dwelling would consequently appear to have three full storeys and be more grand in appearance and character than a traditional farmhouse.
8. Those changes would be reflected in the interior. The simple plan of three main rooms side-by-side on each floor would be made more complex by the extra rooms, circulation space and new doorways. Furthermore, the traditional importance and status of the front of the dwelling would be undermined by the creation of a new entranceway at the rear, even though the existing front door is currently little used. The disruption of the dwelling's plan and layout would

¹ The Framework, Annex 2, Glossary

- result in the loss of historic fabric when creating new doorways; the exterior wall at the side of the downstairs wc would also be removed.
9. It did not seem to me that access to the property is especially complicated. The route through the gate, across a corner of the front garden and up the steps to the front door is not long or indirect. Inside, when moving from the utility room or kitchen to the living room one has to cross the dining room. This would still be the case in the proposed layout except that the route would not be diagonally across the dining room. Neither course is particularly circuitous. Far from bringing logic to the internal layout my view is that, in introducing a new entrance and second staircase, the proposed plan would be confusing and would obscure the original, historic layout.
 10. The addition of a bedroom and office, albeit in the existing cellar, en-suite bathroom, and painting studio would also make the accommodation considerably more lavish than that usually found in a farmhouse. The existing accommodation does not appear to be significantly inconvenient or to fall far short of modern standards.
 11. In order to make the basement rooms habitable, extensive works would be necessary including lowering the floor and surfacing the walls. Opening up the former doorway from the basement would require removal of one of the side walls supporting the external staircase. Additionally, support for the bottom of the staircase would be needed if the level of the surrounding ground was reduced. Insufficient information has been provided in respect of these works and it is not, therefore, possible to assess the effect that they would have on the significance of the building. The cellar door seems to have been superseded by the existing front door which has significance in itself. I do not consider that any benefit in reopening the cellar door would outweigh the harm likely to be caused in doing so. There are also questions as to how existing historic features in the basement would be treated.
 12. All in all I consider that the proposed works would harm the significance of the listed building. They would not preserve it or its features of special architectural and historic interest and listed building consent (Appeal A) should not be granted.
 13. With regard to the planning application (Appeal B) the extent of harm must be determined. National Planning Policy Guidance (PPG) notes that substantial harm is a high test². The internal works are not subject to planning permission. Nonetheless, the proposed rear extension, including the new doorway, and changes to the front elevation would erode the farmhouse character and appearance of the building. My view is that the impact would amount to less than substantial harm.
 14. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use³. It would be a public benefit for the dwelling to continue in residential use for the foreseeable future. I have no compelling evidence, however, that the proposed development is essential to enable that or to allow routine repairs, upgrading and maintenance to be undertaken.

² PPG, Paragraph: 017 Reference ID: 18a-017-20140306

³ The Framework, paragraph 134

15. The proposed development would not conserve the significance of designated architectural and historic assets contrary to Policy L3 of the Peak District National Park Local Development Framework (LDF), adopted 2011. It would adversely affect the character of the listed building and thus would not comply with Policy LC6 of the Peak District National Park Local Plan (LP), adopted 2001.

Conservation area and setting of listed building

16. The conservation area includes the central core of Hathersage, a small market town with agricultural origins. The majority of buildings are domestic in scale and built of stone. The proposed extension would mostly be tucked behind the wall fronting Baulk Lane. Whilst it would be higher than this and would protrude slightly beyond the gate post, it would not be unduly visible in the conservation area. The same would be true of the changes proposed to the front elevation which would be concealed by the garden wall. The proposed development would therefore preserve the character and appearance of Hathersage Conservation Area.
17. The Cottage, also apparently known as Further House, is a listed dwelling on the opposite side of Baulk Lane. It is likely to have had a link with agriculture and is of a comparable period and character with Hall Cottage. I therefore consider that, similarly, its significance is within its agrarian past and architectural details. The proposed development would be within the setting of The Cottage but separated by the lane from it. For the reasons set out in the paragraph above the proposed extension and other alterations would not be clearly visible or intrusive in the setting of The Cottage and would not harm its significance.
18. In respect of the conservation area and setting of the listed building, the proposed development would conserve the significance of designated architectural and historic assets and their settings, in line with LDF Policy L3.

Other matters

19. There would be improved access to the property for disabled people and those with mobility problems, and egress from it in an emergency such as fire. The lower ground level proposed at the front of the dwelling would result in better ventilation, more light and less damp. These would be advantages of the proposal. They are not sufficient, however, to outweigh the harm caused. I am aware of the local support for the proposal. I have taken all the matters raised into consideration but not found any compelling reasons to allow the appeals.

Conclusion – both appeals

20. For the reasons given above I conclude that Appeal A should fail and Appeal B should be dismissed.

Síân Worden

Inspector