
Appeal Decision

Site visit made on 6 February 2017

by Michael Moffoot DipTP MRTPI DipMgt MCMI

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

Decision date: 16th February 2017

Appeal Ref: APP/M9496/D/16/3163612

2 The Square, Monyash DE45 1JH

- 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 Miss M Heathcote against the decision of the Peak District National Park Authority.
 - The application Ref: NP/DDD/0816/0797, dated 19 April 2016, was refused by notice dated 29 September 2016.
 - The development proposed is a rear extension.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this case are:
 - (i) whether the proposed development would preserve or enhance the character or appearance of the Monyash Conservation Area; and
 - (ii) the effect of the proposal on the living conditions of the occupiers of adjoining properties, with particular reference to privacy and daylight and sunlight.

Reasons

Effect on the Conservation Area

3. The Square forms part of the extensive Conservation Area, which has a spacious character provided by open green areas and gaps between buildings that afford views of the distinctive medieval strip fields and open countryside beyond the built-up limits of the village. The majority of buildings within the vicinity of the appeal site are of local limestone construction and relatively small-scale, two-storey structures of simple vernacular form and robust appearance. Contrast is provided by the imposing Bull's Head public house which dominates The Square and forms a focal point. Its setting and presence is augmented by the triangular village green, the village cross and mature trees.
 4. Within this context the appeal property sits quietly behind Rock House and, together with the attached dwelling at No 8 and a pair of converted barns, forms part of a cluster of buildings that makes a positive contribution to the character to this part of the Conservation Area. The subject dwelling is finished
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in render under a slate roof and has a flat-roofed, two-storey extension to the rear which forms part of a larger extension shared with Rock House.

5. The Authority's Supplementary Planning Document: *The Peak District National Park Authority Design Guide* (2007) states that extensions should respect the dominance of the original building and be subordinate in size and massing. In this case the proposed extension, in conjunction with the previous extension, would fail to meet this criterion, resulting in a significantly enlarged dwelling and loss of the original building's role as the principal structure. Furthermore, the extension would be set back from the rear elevation of No 8, giving it a staggered plan form to culminate in an ungainly and contrived addition which would fail to respect the form and character of the host building.
6. Accordingly, the proposal would fail to preserve or enhance the character and appearance of the Conservation Area. It would therefore conflict with Policies LC4, LC5 and LH4 of the Local Plan¹ which, amongst other matters, seek to ensure that proposals for extensions and alterations to dwellings are compatible with the character of the surrounding area and preserve or enhance heritage assets and valued characteristics of the area. The development would also fail to comply with those parts of Policies GSP1, GSP2, GSP3 and L3 of the Core Strategy² which seek to secure sustainable development and good quality design within conservation areas to meet the aims and objectives of the National Park and respect, conserve and enhance its valued characteristics. These Policies are broadly consistent with guidance found in the *National Planning Policy Framework* ('the Framework').
7. The proposal would lead to less than substantial harm to the significance of the designated heritage asset as described in paragraph 134 of the Framework. However, this harm is not outweighed by the public benefits of the scheme comprising additional accommodation which would improve the housing stock.

Effect on neighbours' living conditions

8. The proposal includes two first floor bedroom windows on the rear elevation which would overlook the private garden area to Rock House and its associated holiday cottage. At such close quarters, the privacy of those using this space would be severely compromised. Moreover, the first floor bedroom window in the gable end of the extension would overlook part of the garden to No 8 and diminish the occupiers' privacy to an unacceptable degree. Whilst the ground floor openings to the dining room would also overlook these garden areas screen fencing could safeguard the neighbours' privacy.
9. The provision of obscure glazing to these openings volunteered by the appellant may address these privacy concerns when the windows are closed. However, it would be unreasonable to require such glazing in these habitable rooms as they would result in an oppressive living environment for the occupiers.
10. The oblique relationship of the extension to a first floor window in the rear of No 8 would result in some loss of daylight and sunlight to the room. Whilst this would not in itself warrant dismissal of the appeal, it adds weight to my concerns regarding the adverse impact of the proposal on the neighbours' living conditions.

¹ *Peak District National Park Local Plan* (2001)

² *Peak District National Park Local Development Framework: Core Strategy Development Plan Document* (2011)

11. For these reasons, I conclude that the proposed development would materially harm the living conditions of the occupiers of adjoining properties. As such, it would conflict with Policies LC4 and LH4 of the Local Plan and Policies GSP3 of the Core Strategy which seek, amongst other things, to safeguard residential amenity.

Other Matters

12. The proposal would not place undue demand upon on-street parking in the vicinity of the site nor would deliveries during the construction period materially compromise highway safety. Other submissions concern matters unrelated to the planning merits of the appeal and do not affect my judgement of the issues that I consider relevant to the proposal.

Conclusion

13. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

Michael Moffoot

Inspector