
Appeal Decision

Site visit made on 22 May 2017

by Gareth Wildgoose BSc (Hons) MSc MRTPI

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

Decision date: 2 June 2017

Appeal Ref: APP/H1033/D/17/3168540
155 High Street West, Glossop SK13 8HJ

- 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 Jamel Johnston against the decision of High Peak Borough Council.
 - The application Ref HPK/2016/0514, dated 5 September 2016, was refused by notice dated 22 December 2016.
 - The development proposed is a loft conversion with rear dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character and appearance of Wren Nest Conservation Area.

Reasons

3. Wren Nest Conservation Area is toward the western entrance into Glossop Town Centre which contains three other conservation areas, including the adjoining Norfolk Square Conservation Area and St. James Conservation Area. The focal point of the Wren Nest Conservation Area is Wren Nest Mill, a 5 storey Grade II listed building of considerable scale and proportions with distinctive gritstone walls and a rhythm of windows, located to the north of Glossop Brook. High Street West is a main route through Glossop and lies opposite to Wren Nest Mill beyond Glossop Brook on its southern side.
 4. High Street West is characterised by terraced rows with a broad consistency of traditional form, style, proportions and original roof forms of properties facing the road, despite some minor variations in roof materials and the intermittent presence of rooflights, aerials and satellite dishes. The majority of terraced properties along the section of High Street West where the appeal property is located are in residential use and also retain largely unaltered rear roof slopes, with some terraces forming part of views into the Conservation Area and towards Wren Nest Mill. The appeal property is a two storey mid terraced dwelling with stone walls and a concrete tile roof, which both individually and as part of a terraced row on High Street West is complementary to Wren Nest Mill and makes a positive contribution to the character and significance of the Conservation Area.
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5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. Section 66 of the same Act requires special attention to be paid to the desirability of preserving listed buildings and their settings. Paragraph 131 of the National Planning Policy Framework (the Framework) requires that account be taken of the desirability of sustaining and enhancing the significance of heritage assets, and of new development making a positive contribution to local character and distinctiveness. Paragraph 132 of the Framework states that when considering the impact of a proposal on the significance of designated heritage assets, great weight should be given to the asset's conservation. The Framework also makes it clear that significance can be harmed or lost through alteration of a heritage asset or development within their setting.
6. The guidance in the High Peak Residential Design Supplementary Planning Document (SPD), adopted December 2005, does not specifically preclude rear dormers. Nevertheless, conformity with the design considerations in Policies S1, S1a, S5, EQ6 and EQ7 of the High Peak Local Plan (LP), adopted April 2016 is necessary. When considered together the policies seek to ensure new development is of a high quality, locally distinctive and inclusive design whilst preserving or enhancing the significance of the historic environment, including conservation areas.
7. The appeal proposal would introduce a modern rear dormer with a rear gable design and a ridge line that would match the original roof shown on the submitted plans. The rear dormer would not extend to the side boundaries of the roof or to its eaves level. Nevertheless, it would occupy the majority of the rear roof slope that is visible from elevated positions on St. Mary's Road. It would also be visually prominent from Pendlebury Court residential care home which lies outside of the Conservation Area but adjoins the rear boundary where the garden of the appeal property rises steeply. From those vantage points, the size and design of the rear dormer would be viewed as an unduly dominant, bulky and incongruous addition that would detract from the traditional character and appearance of the property. The harmful visual effect would be emphasised by the contrast with the original roof forms of surrounding terraced properties.
8. In reaching the above findings, I have taken into account that there is an existing large rear dormer and two storey flat roof extension located at the rear of terraced properties which are much closer to and visible from Sunlaws Street. However, I do not have the full circumstances which led to those proposals being accepted and they are very much in the minority. Furthermore, due to intervening screening provided by trees along the boundary of a neighbouring school, they are not influential upon views from public vantage points and properties on St. Mary's Road or Pendlebury Court which would be adversely affected by the proposal. In any case, I do not consider that the presence of those examples in the local area should justify a further erosion of the character of the terraced properties.
9. I afford little weight to the example of a rear dormer at Shaw Street and a recent appeal decision at 2 Chapel Street, Glossop¹. Whilst there are some parallels with respect to those schemes consisting of rear dormers, they relate

¹ APP/H1033/W/15/3035676 – Dismissed – 12 August 2015

to properties in St. James Conservation Area and Norfolk Square Conservation Area respectively where the circumstances and relationship to surroundings are not the same as the proposal before me. I have, therefore, necessarily determined the appeal proposal on its own merits.

10. The harm caused would be significant in terms of the host property and the immediate surroundings of the proposal, but given the distance to Wren Nest Mill and visible modern retail units in the wider context it would not have an adverse impact on the setting of the Grade II listed building. Consequently, the harm would be less than substantial to the significance of Wren Nest Conservation Area as a whole, as the harmful impact relates to only limited vantage points along and from properties adjoining St. Mary's Road due to partial screening by intervening trees and buildings. In such circumstances, paragraph 134 of the Framework requires that the less than substantial harm be weighed against any public benefits.
11. The public benefit suggested is that the proposal would secure the optimal viable use of the building through the conversion of the roofspace and that there would be short term economic benefits during construction. However, the public benefits would be limited based on the scale of development proposed and do not outweigh the great weight given to the conservation of Wren Nest Conservation Area and the less than substantial harm to its significance which I have identified.
12. I conclude that the development would have a harmful effect upon and, therefore, fail to preserve or enhance the character and appearance of the Wren Nest Conservation Area. The proposal would, therefore, conflict with Policies S1, S1a, S5, EQ6 and EQ7 of the LP. The policies are consistent with the Framework.

Other Matters

13. The appellant has drawn my attention to advice provided during pre-application discussions with the Council. However, pre-application advice is offered without prejudice to the outcome of any planning application. Whilst I understand the appellant's disappointment that the Council took a different view when making its decision, such matters are not an influential factor when determining this appeal on its merits.
14. The Council have indicated that the proposal would not have an unacceptable impact on the living conditions of occupiers of neighbouring properties or highway safety. Based upon the evidence before me and my observations of the site and its surroundings, I have no reason to take a different view. However, the absence of concern in those respects is a neutral factor.

Conclusion

15. For the reasons set out above and having taken all other matters into account, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR