
Appeal Decision

Site visit made on 8 June 2020

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th June 2020

Appeal Ref: APP/M9496/Y/19/3240541

1 Butts View Cottages, 1 Butts View, Bakewell, DE45 1FE

- 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 Tearay Dosanjh against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0519/0526, dated 16 May 2019, was refused by notice dated 16 July 2019.
 - The works proposed are described as "internal alterations, new rear first floor window and new roof light".
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council made a decision on the application on the basis of plans 189-PL006 Rev A, 189-PL007 Rev C and 189-PL008, together with the amended 'Existing Plan 189-PL003 Rev A and Existing Elevation 189-PL005 Rev B. I have therefore also used these plans in reaching a decision.
3. The alterations to the scheme would remove the new rear first floor window and the new roof light referred to in the description of development. As neither of these elements are now relevant, the description of development is incorrect. However, as I have concluded that the appeal be dismissed I have not altered the description.

Main Issue

4. The main issues for the appeal are whether the proposal would preserve the Grade II listed 1 Butts View and any features of special architectural or historic interest that it possesses, whether the proposal would preserve or enhance the Bakewell Conservation Area and whether the proposal would preserve the setting of the grade I listed All Saints Church.

Reasons

5. 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. S72(1) of the Act requires special attention to be had to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

6. The Development Plan for the Peak District National Park is made up of the Peak District National Park Core Strategy and the Peak District National Park Development Management Policies 2019 (DMP). Policies GSP3 and L3 of the Core Strategy and Policies DMC5 and DMC7 of the DMP together, amongst other things, seek to protect, conserve and enhance the significance of heritage assets, including their setting and so reflect the statutory duty within the Act.
7. 1 Butts View is a small 2 storey cottage believed to date from the early 19th century. It is constructed in coursed dressed sandstone to the front elevation and has a symmetrical frontage to Butts Lane. It is listed along with the adjoining Spring Cottage and the significance of the asset lies in the contribution it makes to the wider street scene as a relatively well preserved example of vernacular architecture of its period. The interior of the building is not mentioned in the listing and the building has been subject to extensive alteration internally.
8. The proposal has been revised during the course of the planning application and comprises a number of individual elements. The removal of an unauthorised rooflight to the western roof slope is to be welcomed as it would rectify the intrusive proliferation of openings on this roof slope. A window on the western elevation, which sits within an opening originally used as a doorway, is proposed for removal. As this elevation would originally have had a high proportion of solid to void, this element of the scheme would have a broadly neutral effect on the appearance of the building provided the lintel was retained and appropriate materials were employed.
9. A replacement of an existing casement window with a more appropriate sash window on the south elevation would have a small positive effect on the appearance of the building provided details of the window were acceptable. Replacement of the stone step would likewise have a small positive impact. The removal of modern cupboards, the replacement of skirting boards, and the repair and reinstatement of ceilings at first floor level would also all have a positive impact on the interior of the building, provided the works were carried out with appropriate materials.
10. The proposal includes a reconfiguration of the south bay room at first floor level. At present the upper floor comprises 2 rooms. A previous approval¹ has been granted to subdivide the southern bay to provide a bathroom within this space, which would be lit by the rooflights in the southern roof slope. The consent therefore allowed for some opening up of the existing void at roof level but did nonetheless retain the cellular layout of the space. This proposal further alters the floorplan of the front bay by removing the ceiling and introducing a staircase that would access a sleeping deck in the roof void. It would also remove a substantial portion of the wall which adjoins the staircase to first floor level.
11. The substantial loss of historic material to enable the works would lead to some loss of significance. The previous consent would already change the nature of part of this space, and the proposed alteration extends to only part of the floorplan, with the northern bay remaining intact. I note that the position of the stair and the extent to which the deck would be set back from the eastern window suggests that the alteration would not be discernible in views into the first floor from outside the building, thereby not impacting on the external appearance of the asset. Nevertheless, I am conscious that the roof void was

¹ NP/DDD/0507/0455

never intended to be used for accommodation, as is evidenced by the shallow roof pitch and so the works would erode both the cellular character of the layout and the vertical arrangement of space which would alter the internal character of the building, and so harm to the significance of the heritage asset.

12. In relation to the impact on the Bakewell Conservation Area, the external alterations that would arise would be very limited. The alterations to the casement window on the south elevation which faces onto the undercroft would have a small positive impact on the wider conservation area and the removal of the window on the western elevation would have a broadly neutral impact. The removal of the unauthorised rooflight in the western roof slope would also have a positive effect. I am therefore satisfied that the proposal would enhance the appearance of the Bakewell Conservation Area. However, as none of the works would be notable in wider views which also encompass All Saints Church the proposal would have a neutral effect on the setting of this asset.
13. I consider the level of harm caused to the significance of the heritage assets to 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, the harm should be weighed against the public benefits of the scheme.
14. The application seeks to rectify some unauthorised alterations to the building which have previously taken place. These alterations would have a beneficial effect on the building, but as some of the original alterations are unauthorised, this reduces the weight I can attribute to them as a public benefit. The proposal would also provide additional living space, which would have a small beneficial effect on the overall housing stock and so I attribute this limited weight.
15. I take account of the fact that the aspects of the building which contribute to its significance, its symmetrical appearance and presence as part of a pair of buildings, would not be impacted by the proposal and would see a small beneficial effect. Nevertheless, the substantial loss of internal fabric and opening up of the internal floorplan would lead to more than limited harm. The Framework is clear that heritage assets are an irreplaceable resource and that in considering the impact of development on the significance of heritage assets, great weight should be given to the asset's conservation and that any harm should require clear and convincing justification. I therefore attribute greater weight to the harm which would arise to the significance of the listed building as a result of this proposal and find the benefits identified to be insufficient to outweigh this harm.
16. It follows that the proposal fails to comply with national policy outlined in the revised Framework and with Policies GSP3 and L3 of the Core Strategy and Policies DMC5 and DMC7 of the DMP which taken together seek to protect, conserve and enhance the significance of heritage assets, including their setting.
17. Accordingly, having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR