
Appeal Decision

Site visit made on 16 June 2020

by R Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 June 2020

Appeal Ref: APP/M9496/D/20/3244449

St Leonards Cottage, The Green, Thorpe DE6 2AW

- 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 Andrew Clark against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0919/1019, dated 17 September 2019, was refused by notice dated 16 December 2019.
 - The development proposed is the enlargement of existing bay window seat.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appeal site is in a National Park (NP), and an EIA Screening Opinion has been issued by the Authority, concluding that an Environmental Statement is not necessary in this instance. Based on the details before me, I have no reason to disagree with that conclusion.

Main Issues

3. The main issues are:
 - the effect of the proposal on the character and appearance of the host property and the Thorpe Conservation Area; and
 - Whether the proposal would adequately address climate change mitigation and sustainability.

Reasons

Character and Appearance

4. The appeal property is a detached 2-storey stone-built house. It is located within the Thorpe Conservation Area (CA). Thorpe is characterised by stone-built properties and high levels of greenery resulting in an attractive spacious village, set within the undulating landscape of the NP. Although the appeal property has been altered it remains an attractive house, visible from the public realm and makes a positive contribution to the CA.
5. The Authority's Detailed Design Guide: Alterations and Extensions Supplementary Planning Document (SPD) says, amongst other things, that all

- extensions should harmonise with the parent building. The existing bay projection is not an original feature. However, its simple lean to form and modest proportions, appear incidental on the elevation that, facing the public realm, appears to be its frontage. The proposal would appear too oversized to be a natural bay window feature. Moreover, its size, shape and roof form on this front façade would appear at odds with the vernacular of the host property.
6. I recognise that the Old Rectory within the village has a flat roof extension with lantern style roof lights. However, lantern style roof lights are not traditional features within the CA and I do not have the full details of the circumstances that led to that extension being built. Moreover, the character of the host building, the location and scale of extension and its relationship to the public realm are markedly different from the appeal site. I have, in any event, determined the appeal proposal on its own merits.
 7. Even though it would be built of matching materials and would be a small-scale addition in relation to the host property, the extension would be an undesirable incremental change that would erode the overall character and quality of the area.
 8. I therefore find that the proposal would harm the character and appearance of the host property and the CA. It would not, therefore, preserve or enhance its character or appearance and, as such, it would conflict with the statutory duty under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990.
 9. The harm would be less than substantial in the context of paragraph 196 of the National Planning Policy Framework (the Framework). Although the harm may be less than substantial, any harm to the CA is a matter that attracts great weight, having regard to paragraph 193 of the Framework. In accordance with paragraph 196 of the Framework, I must balance the less than substantial harm against the public benefits of the proposal.
 10. I accept that the appellant is seeking to make an effective use of an existing dwelling and understand that extending the property might meet the appellant's need for increased accommodation. However, these would be largely personal benefits and therefore I afford them limited weight. As such, I am not persuaded that the public benefits outweigh the less than substantial harm to the CA.
 11. Accordingly, the proposal would conflict with the requirements of the Framework and with Policies GSP1, GSP2, GSP3 and L3 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document (adopted 2011) (CS) and Policies DMC3, DMC5, DMC8 & DMH7 of the Peak District National Park Development Management Policies (adopted 2019). These policies seek, amongst other things, to ensure that development is of a high standard of design which protects the character and appearance of the NP and conserves heritage assets.
 12. In arriving at these conclusions, I have had regard to the conservation of cultural heritage of the NP alongside the other purposes for which the NP is designated, in accordance with s.11 of the National Parks and Access to the Countryside Act 1949 (as amended).

Climate Change

13. Policy CC1 of the CS requires, amongst other things, that all developments make the most efficient and sustainable use of land, buildings and natural resources. The appellant has outlined varying mitigation measures, including amongst other things, the reuse of materials, improved insulation and improved solar gain.
14. Given the size of the extension proposed, I am satisfied that the measures outlined would be proportionate and would adequately address climate change mitigation and sustainability. I therefore find, that the proposal would comply with the requirements of Policy CC1 of the CS.

Other Matters

15. I note that the appellant was willing to make changes to the development with the view to finding a solution. However, I must determine the appeal based on the merits of the scheme before me.
16. I recognise that there would be no harm to the living conditions of the occupiers of neighbouring properties. However, the absence of harm is a neutral matter weighing neither for or against the proposal.

Conclusion

17. I have taken account of all the other matters raised including the benefits of the proposal. I note the appellant's reference to the presumption in favour of sustainable development within the Framework. Good design is a key aspect of sustainable development. Although the proposal would adequately address climate change mitigation and sustainability, the design of the proposal in this location would result in a harmful effect on the character and appearance of the host property and the CA and there are no public benefits that outweigh that harm. Therefore, the proposal would not represent sustainable development as sought by the Framework.
18. For the above reasons, the appeal is dismissed.

Robert Walker

INSPECTOR