
Appeal Decision

Site visit made on 6 July 2020

by J Williamson BSc (Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 December 2020

Appeal Ref: APP/M1005/D/20/3251332

Ridgewood Cottage, Higg Lane, Alderwasley, Belper DE56 2RB

- 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 Steve Seaman against the decision of Amber Valley Borough Council.
 - The application Ref AVA/2020/0147, dated 06 February 2020, was refused by notice dated 09 April 2020.
 - The development proposed is described as demolition of existing extension and conservatory and construction of new extension and conservatory.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues, with particular regard to design, scale and mass, are: the effect of the proposal on the character and appearance of the host dwelling; whether it would preserve or enhance the character or appearance of the Alderwasley Conservation Area (CA); the effect on the character or appearance of the Special Landscape Area (SLA) and the effect on the setting of the Derwent Valley Mills World Heritage Site, (DVMWHS).

Reasons

3. The site comprises a two-storey, detached cottage (which has single-storey extensions on one side) with domestic outbuildings and garden and is accessed from Higg Lane via a track north/north-east of the property. A Public Right Of Way (PROW) runs along the track, from which the property is highly visible.
4. The site is located within the gently rising landscape to the south of the village of Alderwasley, and for planning policy purposes is within a CA, SLA and adjacent to the DVMWHS Buffer Zone. The plot is surrounded by fields with a small wooded area just beyond its south-western corner. It is bounded mainly by dry-stone walls.
5. The CA incorporates the built-up area of the village and an area of the SLA broadly to the east, north-east and south-east. The village within the CA is characterised by traditional, stone-built buildings with pitched roofs, stone window surrounds and relatively small window openings. Key features of the SLA and landscape within the CA include rolling upland summits, regular patterns of fields bounded by stone walls and sparsely scattered farmsteads, constructed of stone with similar features to the properties in the village. Some

agricultural buildings have been sympathetically converted, and extensions to properties tend to be subservient. I consider these aspects substantially contribute to the significance of the CA.

6. I have a statutory duty to pay special attention to the desirability of preserving or enhancing the character or appearance of a CA, which is therefore a matter of considerable importance and weight. In addition, the Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
7. I agree with the view shared by both parties that the host dwelling makes a positive contribution to the CA. The existing extensions are both single-storey, the largest of which is slightly set-back from the dwelling's north facing elevation. The smaller conservatory style extension is set-back considerably from the north-facing elevation of the larger extension. Hence, the design, scale and siting of the existing extensions are such that the original dwelling is still very discernible, particularly when viewed from the PROW. The extensions are subservient to the original dwelling. Although some features of the extensions could possibly be improved, I disagree with the appellant's view that they detract from the character of the host dwelling, the CA and its setting.
8. The proposal would demolish the existing extensions and replace them with a two-storey and single-storey extensions. The proposed two-storey extension would be around the same width as the largest of the existing single-storey extensions, which is around half the width of the original dwelling. Although its footprint would be a little smaller than the existing extension, due to it being two-storeys high, with roof ridge and eaves heights similar to the original dwelling, a gable projection on the south-facing elevation and with 4 window openings on the north-facing elevation much larger than those on the north-facing elevation of the original house, the two-storey extension on its own would be a dominant addition, significantly out of scale and competing with the original dwelling.
9. The proposed single-storey extension would have 3 glazed elevations giving it a light-weight appearance. However, it would also have a flat roof design and would be sited close to the northern boundary of the site. Consequently, the modern design and siting would make it a more prominent structure, when viewed from the PROW, than the existing conservatory-style extension.
10. Overall, the resultant expanse that would make up the northern elevation of the property would have an incoherent appearance, comprising of the rear elevation of the original building with 3 small window openings, a two-storey addition nearly the same size as the original building with large window openings (akin in positioning, design and scale to a modern stone-built house), and a single-storey extension not bearing any relation in terms of design and materials to either the original dwelling or the 2-storey extension.
11. Bearing the above factors in mind, due to the design, scale and mass of the proposed development I conclude that the proposal would substantially alter and harm the character and appearance of the host dwelling. As such, the proposal does not preserve or enhance the character or appearance of the CA and would be harmful to the character and appearance of the SLA.

12. Regarding paragraph 196 of the Framework, I consider the degree of harm would be less than substantial; this therefore needs to be weighed against the public benefits.
13. The appellant is of the opinion that the proposed development would be of superior design to the existing extensions and as such the proposal would enhance the character and appearance of the CA, which the appellant considers would be a significant public benefit. However, considering my findings above, I disagree with the appellant's contention. I therefore attach no weight to this aspect.
14. The appellant has asserted that the proposal would provide increased energy efficiency. Although I have not been provided with any details, with improved building standards this is likely to be the case. However, as the energy savings would be minor, I attach limited weight to this factor. I therefore conclude that there are no public benefits that would outweigh the harm to the CA I have identified.
15. Bearing the above factors in mind, the proposal does not accord with saved policies H12, LS3, EN27 and EN6 of the Amber Valley Borough Local Plan (2006), (LP), design and conservation policies in the Framework or guidance in the Supplementary Planning Document: Residential Development (2007), (SPDRD) and the Supplementary Planning Document: Listed Buildings and Buildings in Conservation Areas (2007), (SPDLB&CA). Collectively, and among other things, these policies and guidance require new development to be of high-quality design, to be sympathetic to and respect local character, to not adversely affect the character of the landscape, to preserve or enhance the CA; additionally, extensions to existing buildings should be clearly subordinate to the original building.
16. The site is just outside of the DVMWHS Buffer Zone, which serves as the wider setting of the WHS, and some distance from the WHS. Consequently, the WHS cannot be seen from the site and the site cannot be seen from the WHS. I consider that the proposed development would have a neutral effect on the setting of the WHS. As such, the proposal would preserve the setting of the WHS and therefore accords with saved Policy EN29 of the LP.

Other considerations

17. The appellant suggests that it may be possible to extend the property in ways that don't require planning permission that could be more harmful to the original building than the existing extensions. However, I have not been provided with any details of what the appellant may be able to construct under permitted development rights. I therefore attach no weight to this matter.

Conclusion

18. Notwithstanding my finding as regards the effect of the proposal on the setting of the WHS, for the reasons outlined above, I conclude that the appeal is dismissed.

J Williamson

INSPECTOR