



Appeal Decision

Site Visit made on 12 July 2021

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9th September 2021

Appeal Ref: APP/P1045/W/21/3273044

The Beehive, Well Banks, Kirk Ireton, DE6 3JW

- 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 & Mrs Delves against the decision of Derbyshire Dales District Council.
 - The application Ref 21/00180/FUL, dated 9 February 2021, was refused by notice dated 7 April 2021.
 - The development proposed is described as a 'Proposed New Dwellinghouse'.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. A revised National Planning Policy Framework was published in July 2021 (the Framework). Whilst the paragraph numbers have changed in regard to those relevant to the main issue of this case, the substance thereof remains the same as the 2019 iteration. I have sought comments from the main parties and taken any made into consideration.

Main Issue

3. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Kirk Ireton Conservation Area.

Reasons

4. The Kirk Ireton Conservation Area (KICA) is centred on the village of Kirk Ireton. The varying topography, the narrow lanes off Main Street and the collection of low rise traditional cottage stone buildings with features such as small windows and modest porches make a positive contribution to both its special character and appearance. Other positive elements include pleasant views of the rural and agrarian land use around the village, as identified in the KICA Character Appraisal (2014). These contribute to a distinctly rural character and strong sense of spaciousness.
5. The proposed dwelling would be situated at an elevated level to the rear of The Beehive on land which forms its garden. It would comprise a two-storey element which would span across most of the site on an east-west axis, with a long single storey projecting section on the other axis. Its orientation would be generally parallel to Main Street. Despite this, the scale of the building proposed and it being in an elevated location above The Beehive, would result in it appearing as a prominent, larger scale building which would accordingly be

intrusive when viewed in the context of the historic village scale consisting of much smaller, traditional, low rise buildings. The proposed two storey element would also reduce the sense of spaciousness in a location towards the edge of the village where the site presently, alongside the open land and gardens to the south and west, contributes positively to the rural setting of the village.

6. The garage has been designed to take a simple form with the link element departing from a solid construction to break up the mass. The proposed dwelling would have stonework detailing and materials similar to other properties in the area. On the southern elevation, the proposal would however have two large glazed openings on the ground and first floor levels, which would not reflect the traditional smaller window and door openings on other properties. Whilst the prospect of planting may offer some screening, this would take time to establish and the harmful effects I have set out above would remain in any event.
7. For the above reasons, the proposal would fail to preserve or enhance the character or appearance of the KICA. As such, it would be contrary to Policies PD1, PD2 and S3 of the Derbyshire Dales Local Plan (2017), which require, amongst other matters, development to be of a high quality, contribute positively to an area's character, history and identity and to conserve heritage assets in a manner appropriate to their significance.
8. In relation to designated heritage assets, Paragraph 202 of the Framework states where there would be less than substantial harm to the significance of a designated heritage asset, as in this case primarily due to the scale and nature of the proposed development in context, this harm should be weighed against the public benefits of the proposal.
9. The appellant has set out benefits, such as working with existing land levels and avoiding substantial earthworks. The proposal would also be orientated to benefit from southerly views and larger openings for winter solar gain, thus reducing the need for energy consumption. Whilst these matters weigh in favour of the scheme, they are would not outweigh the harm the development would cause to the KICA in the terms I have described it, bearing in mind the Framework, which states that great weight should be given to an asset's conservation, irrespective of the level of harm to its significance.

Other Matters

10. My attention has been drawn to a previous approval for a bungalow on the site. I have not been provided with full details, but from the information presented, this was of a smaller single storey scale and would be positioned towards the north of the site. The Council have further stated that the previous approval had a simple design, with the southern elevation lowered, and took the form of an ancillary structure unlike this larger two storey proposal which would harm the character of the area.
11. Reference has been made to the neighbouring property 'Skyfall', which is said to be in a higher and more prominent position. However, I was able to see that this property is set within large, spacious grounds as is the other neighbouring property to the west, Ireton Grange. The other referenced properties, The Beehive and Raglan House are at a lower level, close to the road. The presence of these properties does not therefore alter my conclusion on the main issue. I have dealt with the appeal on its own merits.

12. The trees and hedgerows are to be retained and the building would be carefully placed to not encroach on root protection areas. It would also make use of the existing access and the design has considered the living conditions of neighbouring occupiers. These are however neutral considerations and not matters which weigh in favour of the proposed development.

Conclusion

13. For the reasons I have set out, there are no material considerations, including the provisions of the Framework, which would indicate me making a decision otherwise in accordance with the development plan. The appeal should therefore be dismissed.

F Rafiq

INSPECTOR