



Appeal Decision

Site visit made on 11 July 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2022

Appeal Ref: APP/H1033/W/22/3292265
Laneside, Valley Road, Hayfield SK22 2LP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission.
 - The appeal is made by Mr Richard Morgan against High Peak Borough Council.
 - The application Ref HPK/2021/0154 dated 17 March 2021.
 - The development proposed was originally described as creation of first floor level to existing dwelling house.
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Decision

1. The appeal is dismissed and planning permission is refused.

Preliminary Matters

2. The appeal is against the non-determination of a planning application. The Council's submission sets out that they would have refused planning permission for reasons relating to the character and appearance of the host property, which is located within the countryside, and surrounding area including the setting of the Hayfield Conservation Area (CA).
3. Revised plans were submitted during the course of the application to the Council. However, I understand from the evidence submitted that a repeat neighbour notification was not undertaken in relation to the revised plans. To consider an appeal on the basis of the amended scheme without the ability to undertake a revised consultation exercise would be unfair and could prejudice the position of those who may wish to comment on the proposal. Consequently, I have determined the appeal on the basis of the plans originally submitted to the Council.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the host building and surrounding area, including the setting of the Hayfield Conservation Area (CA).

Reasons

5. The appeal site consists of a detached bungalow which is elevated above Valley Road. The site lies outside the designated built-up boundary for Hayfield and therefore within land designated as countryside in the High Peak Local Plan (2016) (LP).

6. The appeal site is adjacent to the CA. This part of the CA is characterised generally by traditional and simple in form dwellings as well as the trees associated with Hayfield Park. Millstone grit and slate are the predominant materials. The host building reads as a later addition than the majority of properties within the CA. Nonetheless, its current modest scale, simple form and materials respect the CA.
7. The proposed development would increase the height of the dwelling and would introduce a full height bay window with floor to ceiling glazing, dormer windows, entrance porch and render. The appellant considers that there are several examples of dormer windows in and around the village. I observed on my site visit that whilst the neighbouring dwelling has a dormer window, dormer windows are not a common feature within the locality.
8. The proposed development would not read as a subordinate addition to the host building. This is particularly due to the increase in height and full height bay window. Having said that, the proposed increase in height would not appear out of character with the two and three storey properties in the surrounding area. Nonetheless, the extent of glazing, dormer windows and render proposed would appear at odds with the established pattern of development and the modest scale and simple form of the host property. Especially the proposed front elevation would be widely visible from public vantage points and the elevated position of the dwelling would exacerbate its prominence. It would also be clearly visible from the CA.
9. Accordingly, the proposed development would be an incongruous addition which would fail to relate to the scale and form of the existing dwelling, situated within the countryside, and would not reflect the character and appearance of the area. In addition, for the same reasons, it would cause harm on account of the effect on the setting and significance of the CA and would fail to preserve or enhance the character and appearance of the CA.
10. Paragraph 199 of the Framework states 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. Paragraph 200 goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The harm arising would be localised and less than substantial in this instance, nevertheless it is of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
11. I understand that the appellant seeks to enlarge the dwelling to better meet the needs of their growing family and the proposals have been developed to follow the general permitted development principles and conditions. However, the appellant has not presented any clear public benefits. Based on the evidence submitted, the public benefits would not justify or outweigh the harm to the heritage asset that I have identified, as required by the Framework.
12. For the reasons given above, the proposed development would cause harm to the character and appearance of the host building and surrounding area, including the setting of the nearby CA. Consequently, the scheme would conflict with Policies EQ 3, EQ 6 and EQ 7 of the LP which seek to ensure, amongst other matters, that development proposals contribute positively to the

character of the built and historic environment and within the countryside allow for extensions provided they are subsidiary to the building. It would also conflict with the Council's Residential Design Supplementary Planning Document (2005). This states that extensions should be designed to be subordinate to the main form of the house.

Conclusion

13. For the reasons given above, the appeal does not succeed.

L M Wilson

INSPECTOR