

Appeal Decision

Site visit made on 12 June 2024

by Andrew Dale BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 04 July 2024

Appeal Ref. APP/H1033/D/24/3340073

Torino, St Marys Road, New Mills, High Peak SK22 3BW

- 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 Wayne Travers against the decision of High Peak Borough Council.
 - The application ref. is HPK/2023/0514.
 - The development proposed is *"Re submission (sic) of HPK/2022/0498 – Raise roof level to provide accommodation at first floor, single storey rear extension, new porch and alterations to windows and doors"*.
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Decision

1. The appeal is allowed and planning permission is granted for raise roof level to provide accommodation at first floor, single storey rear extension, new porch and alterations to windows and doors at Torino, St Marys Road, New Mills, High Peak SK22 3BW in accordance with the terms of the application ref. HPK/2023/0514, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans numbered (titled): 100 (Location and Site Plans); 101 (Existing Plans); and 200 Rev. C (Proposed Plans)
 - 3) The stone, render and concrete roof tiles to be used in the construction of the external surfaces of the development hereby permitted shall match the stone, render and concrete roof tiles used in the existing building.

Preliminary matters

2. The descriptions of the proposal on the application form and the decision notice, as set out in the banner heading above, refer to the resubmission of application ref. HPK/2022/0498. I have taken this planning history into account, but its inclusion in the description of the proposal is superfluous and potentially misleading. I have omitted such a reference from the Decision.
 3. Submitted with the appellant's statement is revised drawing no. 200 Rev. C. This shows the omission from the proposal of 2 front (west-facing) gabled dormers and 2 large contemporary glazing panels at first floor level in the southern side elevation and their replacement with 4 roof lights and a pair of
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conventional 2-light windows respectively. I am satisfied that the revisions do not represent a substantial difference or fundamental change to the application or to the description of development. The minor changes shown could have quite conceivably been sought by means of a planning condition. The application did not result in any public comments being received and it is difficult to envisage how the changes might prejudice the interests of anyone who may have expected to have had an opportunity to comment on those proposals. Having given the Council an opportunity to comment on the revised drawing, I have therefore exercised my judgement to take it into account.

Main issue

4. The main issue is the effect of the proposed development upon the character and appearance of the street scene and the setting of the New Mills Conservation Area (NMCA).

Reasons

5. I have not seen any development plan policies or local guidance aimed at resisting in principle proposals which would involve the loss of a bungalow for any reason or an upward extension to a bungalow by adding a whole new storey below a replacement roof as put forward here. I have taken into account the guidance in the High Peak design guide and Residential Design Supplementary Planning Documents. The Council refers to the guidance for extensions to be subordinate to the main form of the dwelling and suggests that the original character of the host property would be lost. However, the guidance also says that in some circumstances it may be acceptable to consider extensions which do not emulate the style of the original building and that it is important that an extension results in a dwelling that is well designed in itself.
6. In this street scene, the appeal bungalow's closest visual relationship is with the row of 2-storey houses to the north that follow the sharp fall in St Marys Road from north to south. Noting the taller built form and the advanced building line of those neighbouring houses and the exceptionally fine roadside trees to the south of Torino, the bungalow appears rather unassuming and does not stand out in the street scene. It would be a stretch of the imagination to suggest that this situation would be radically changed by the proposed raising of the roof ridge by just 1.25 m. The upwards extension would not be of such a scale or in such a position as to have an adverse visual impact on the street scene.
7. Given a roof style based on steeply pitched roofs, with much of the first floor accommodation in the roof space, I consider that, importantly, the resulting dwelling would be well designed in itself and would be a fitting addition to this street scene, integrating well with it. It would be an appropriate dwelling type that would be something of a hybrid between the design of the adjacent 2-storey houses and the existing single-storey bungalow which has no particular architectural merit of its own and is something of an anomaly along this part of the road. Dormers are not a characteristic feature of the buildings in New Mills. The use of 6 small and carefully positioned roof lights in the front roof slope, as shown on the revised plan, would not, in my view, be objectionable given the rather secluded location and particular character of this property.

8. I consider therefore that the proposed upwards extension would not result in an incongruous form of development that would be prominent in the street scene for any reason.
9. It is common ground between the main parties that the appeal site is within the setting of the NMCA which is a designated heritage asset of some significance. In particular, beyond the southern side boundary of the appeal site, there is The Annunciation Roman Catholic Church and its associated churchyard which lie within the NMCA. The church, said to date from circa 1846, along with High Lee Hall, which is largely hidden from view on the opposite side of the road, contribute to the significance of the NMCA in its architectural and historic senses. The trees between them along both sides of the road play an important part in the landscape setting of both buildings and provide a strong sense of enclosure along St Marys Road.
10. Although not definitive in itself, I note that the NMCA Character Appraisal does not identify a *Significant View* or even a *Glimpse View* in the vicinity of the church at *Map 7 Sub-Area 5*. The setting of the church, which is set back from the road on the inside of a bend, can perhaps be best described as tantalising in the sense that on both approaches along St Marys Road the full extent of the church and its narrow spire is obscured to varying degrees by a combination of buildings and/or mature trees. From the south, the church is only revealed in full once beyond 30 St Marys Road. From the north, the first full view occurs in a very short gap between the structure of Torino and the overhanging branches of mature roadside trees. The appeal scheme would not interfere with that gap. That it may marginally reduce the already restricted and glimpsed views of the spire when approaching from higher ground to the north would not be significant given the characteristic setting of the church I have described.
11. The resulting dwelling would still provide for a gradual transition of built form between the row of 2-storey residential properties and the open churchyard. When viewing from various parts of the churchyard, its southern flank elevation would not appear unduly dominant and would be seen against the backdrop of the 2-storey dwellings ascending the hillside to the north.
12. The desire for extensive areas of glazing in the southern side elevation so as to take advantage of solar gain and views should be balanced against the need to protect the open and humble setting of the churchyard. By removing the 2 large and rather extravagant irregular-shaped windows from the first floor of this elevation, I consider that a suitable balance is struck. This elevation would not appear overly assertive. The use of render for the side and rear walls would be acceptable as it is already used on Torino and on a number of other dwellings in the row to the north.
13. The scheme would ensure that whether passing along St Marys Road or standing in the churchyard, the NMCA would remain readily understandable. Consequently, the proposed development would not undermine the legibility of this part of the settlement and would not erode the historic and architectural significance of the NMCA. I consider therefore that the resulting dwelling would make a neutral contribution to the setting of this designated heritage asset and would not affect the ability to appreciate its significance.

14. I find on the main issue that the proposed development would not harm the character and appearance of the street scene or the setting of the NMCA. In these respects, the proposal would accord with Policies S 1, EQ 6 and EQ 7 of the High Peak Local Plan 2016. Taken together and amongst other things, these policies seek to secure high-quality design and ensure that heritage assets, including their settings, are conserved in a manner appropriate to their significance. The scheme would respect the key design themes in the National Planning Policy Framework insofar as they relate to achieving well-designed and beautiful places and conserving and enhancing the historic environment.
15. The appeal site lies outside the NMCA, yet the Council's Delegated Decision Report refers to section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. The consideration of a conservation area's setting is not covered by section 72. The exercise of duties regarding that section is with respect to any buildings or other land in a conservation area.
16. The Council has suggested 3 conditions in the event of the appeal being allowed. I have considered these. In addition to a condition setting a time limit for the commencement of development, a condition requiring that the development is carried out in accordance with the relevant approved drawings (now including drawing no. 200 Rev. C, instead of 200 Rev. B) is necessary as this provides certainty. I have imposed a condition requiring matching materials to ensure that the development would safeguard the character and appearance of the area.
17. For the reasons given above and having regard to all other matters raised, I conclude that this appeal should be allowed.

Andrew Dale

INSPECTOR