



Appeal Decision

Site visit made on 5 December 2024

by A.Graham BA(hons) MAued IHBC

an Inspector appointed by the Secretary of State

Decision date: 07 January 2025

Appeal Ref: APP/P1045/W/24/3348744

**Building to the South of Old Chapel, Coffin Lane, Kirk Ireton, Derbyshire
DE6 3JW**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mrs Sheila Collington against the decision of Derbyshire Dales District Council.
 - The application Ref is: 24/00280/FUL.
 - The application is for change of use, conversion and extension of an existing building to a dwellinghouse.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issue is the effect of the proposal upon the character and appearance of the Kirk Ireton Conservation Area and upon the setting of nearby Listed Buildings.

Procedural Matter

3. Since the determination of this application a revised National Planning Policy Framework (The Framework) was published on 12 December 2024 whose main focus was not directly relevant to this appeal. Nevertheless, I have determined this appeal in accordance with the revised provisions within the Framework.
4. The description of development used in the heading above differs from that used on the Council's Decision notice and instead the description is that as used by the Appellant on their original application form. I consider that the description of development still accurately reflects the proposal before me and as such I have used this description accordingly.
5. Similarly, the address given on the original application form names the property as 'The Gallery, Coffin Lane, Kirk Ireton' which is different from that used above. For the interests of consistency therefore I have used the address as used by the Council and as reflected on the Appellant's Appeal Form.
6. I have no 'to scale' existing plans of this development before me and as such I have based this assessment both upon those not to scale existing plans within the Appellant's Heritage Statement together with the information within the associated reports and my visit on site.

Reasons

7. The appeal property is a small, single storey stone clad structure that sits upon a prominent triangular plot within this tight knit part of the village of Kirk Ireton. The site marks the junction between Coffin Lane, Hemp Lane and the apex of this triangular site faces in a southerly direction towards the fairly steep hill of Well Banks. As a result, the building marks a prominent junction and can be clearly seen on approach to the split in the lanes that lead onto Coffin Lane and Hemp Lane respectfully.
8. The site is located within the adopted Kirk Ireton Conservation Area (CA) the last review of which was undertaken in 2014 when the current Conservation Area Management Appraisal was published. This document effectively describes the significance of the CA as being determined by its rural character, consistency of materials and 'secretive' lanes that lead from the more formal and wide Main Street that forms the central spine of the village. The CA is also notable for its good survival of 18th and 19th century buildings and homogenous character that all contribute to this significance.
9. The CA also encompasses the wider landscape around the central village core as a related historical entity. Within the CA there are several Listed Buildings. The two Listed Buildings nearest to the appeal site are the Methodist Sunday School¹, Coffin Lane and Prospect House, both of which are Grade II Listed. The Council have identified harm to the setting and significance of the Methodist Sunday School but it appears common ground between the parties that the building known as Prospect House would be largely unaffected through this proposal.
10. To the north of the site is the Non Listed former Primitive Methodist Chapel that is recognised as a landmark building within the CA. This building is of a refined neo classical style in gritstone, executed in a simplistic manner with simply decorated eaves detail and features. Its roof form is more highly decorated however with diamond motifs and, although not readily visible when the roof material is wet², at other times the patterned use of contrasting roof slates exhibit a pleasing pattern that contributes in a positive manner also.
11. Although the building subject to this appeal is constructed in natural stone and local clay tiles, similar to that of most other buildings in the village, the building itself was constructed in around 1974 as a garage and later converted to a gallery/workshop. The building has a slightly skewed plan with a simply pitched roof and patio type doors facing onto the end of the site with two velux type rooflights above.
12. To the rear is a garden area that rises slightly and extends directly in front of the Listed Methodist Sunday School with the narrow lane of Coffin Lane dividing them behind a stone wall and low fence. Also within this garden is a raised shallow single pitched timber summer house that stands prominently within the garden and is located immediately across the lane from the listed building.
13. The appeal site currently benefits from permission for change of use of the existing former gallery/workshop to dwellinghouse as per application reference

¹ List entry 1138351 20 October 1983. The Appellant's refer to this building as the Methodist Church (Old Methodist Sunday School) in their statement of case.

² The pattern of the roof slates is shown clearly on page 22 of the Conservation Area Appraisal.

23/01210/FUL. This application also included a rear lean to extension that was to be clad in a corrugated metal material. This extension was not found to cause harm to the Conservation Area nor the setting of nearby listed or non listed buildings and was approved seemingly following modifications to retain it as single storey.

14. The proposal before me seeks permission to retain much that was included within this previous application with the primary exception being the proposal to raise the height of the existing former gallery/workshop to enable a first floor en suite bedroom to be accommodated within the roofspace. The building would therefore be raised by around 1 metre in height that would include a raising of the eaves and ridge.
15. In considering whether to grant planning permission I am required by Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to show 'special regard' when assessing proposals for development that may affect a listed building or its setting. Similarly, Section 72 of the same act requires me to show 'special attention' to the desirability of preserving or enhancing the character or appearance of the Kirk Ireton Conservation Area. This is reflected in The Framework, which states that 'great weight' should be given to a heritage assets' conservation and also illustrates the positive contribution that heritage assets can make to the creation of sustainable and economically viable communities.
16. Although the proposal before me would, in many ways, appear as a contextual response to the historic environment here through its simple forms and materials, I must assess two matters that I consider are pertinent to the effect of this proposal upon the character and appearance of the area. These include, the effect of the proposed raising of this building upon the setting and visibility of the Primitive Methodist Chapel aswell as the cumulative effect of a higher building upon this site when compared to that already consented.
17. In terms of the non listed Primitive Methodist Chapel, the roof detail of this chapel is something of an oddity within the CA. It is however truly of its time and reflects a simple architectural innovation of decorated roof tiling that was presumably intended to be seen. As such this building has been recognised as a landmark building within the CA appraisal. This landmark status would have been more obviously the case on approach uphill from Well Banks prior to the construction of the existing building upon the appeal site. At this time, the church roof would have likely have been more visible, with its roofing prominent and very much contrasting to the rest of the village. The CA still recognises the importance of this view today albeit as a view that stops at the appeal site, but this does not diminish the appearance of other features present within this view such as the chapel roof.
18. As such I consider that there is significance in this building and its roof design and its relationship to the rest of the village. The roof is still visible, even though the cleanness of the roof and the velux type rooflights on the existing appeal site building tend to detract from it. Nevertheless, there is still a contribution that this roof makes and presumably this was a matter considered previously in the application for the existing garage as the Officer report alludes.

19. In assessing this matter, I find that even a modest and sensitive increase in the roof form as proposed would encroach more readily upon the visibility of this roof from some points along Well Banks. However, the replacement of the existing roof lights with more 'conservation style' rooflights would be a mitigating factor. As would the occupancy of this building as a more practical dwelling where living and bedroom spaces could be better positioned and more useable. Despite this there would still be some very minor harm upon the ability to see the Primitive Methodist Chapel roof and its role within the context of the village.
20. The second issue is regards the cumulation of development upon this site that would be added to through this development. Although the rear extension has been consented along with conversion, the proposed changes must also be seen in relation to the existing summer house building that stands prominently upon this site and which the Appellant's have confirmed would remain.
21. This building stands immediately across the road from the Grade II Listed Methodist Sunday School and effectively blocks much of the outlook from this listed building. Through further increasing the development upon this plot vertically, there would be a cumulation of development upon this site and a further encroachment upon this setting. I consider therefore that this would cause greater harm to the immediate setting of this listed building through the cumulation of both the existing summerhouse and the proposed rear extension when combined with the proposed increase of the roof of the existing building.
22. As such, more development upon this site would effectively tip the balance and would cause a harmful cumulation of development here. Added to this, the further encroachment into the identified secondary view of the Primitive Methodist Chapel would cause more harm that is not outweighed by the other benefits of this scheme.
23. Although such harm to the historic environment would be less than substantial for the purposes of the NPPF, and although some of this impact could perhaps be mitigated through the removal of the summer house and fewer rooflights to the south elevation, the overall cumulative effect of this scheme, when added to that already consented or present on the site, would result in medium harm to both the character and appearance of the CA aswell as the immediate setting of the Grade II Listed Methodist Sunday School.
24. Accordingly the proposed scheme would be contrary to Policies PD1 and PD2 of the Derbyshire Dales Adopted Local Plan 2017 aswell as Policies 1-3 of the Kirk Ireton Neighbourhood Plan all of which reflect The Framework in their desire to carefully manage development within the historic environment.

Conclusion

25. For the reasons given above, and taking into account of all other matters raised, I dismiss the appeal.

A Graham

INSPECTOR