



Appeal Decision

Site visit made on 11 March 2025 by L Clark MSc MRTPI

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4 April 2025

Appeal Ref: APP/M9496/D/24/3354957

The Gables, Greaves Lane, Ashford in the Water, Derbyshire DE45 1QH

- 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 Mr T Rice against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0624/0624.
 - The development proposed is described as 'proposed alterations and extension'.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issues

3. The main issues are a) whether the proposed development would preserve or enhance the character or appearance of the Ashford in the Water Conservation area, b) the effect of the appeal scheme on the living conditions of the occupiers of neighbouring properties with specific regard to outlook and light and c) the suitability of the proposal with specific regard to climate change mitigation and flood resilience.

Reasons for the Recommendation

The Ashford in the Water Conservation Area (CA)

4. The appeal property is a quaint and attractive detached stone and render house set back from and facing the road. It is within a street scene of other dwellings, of similar materials but different designs and scales, which back onto the local recreation ground. The building retains many original features which it also has in common with the rest of the street which gives the area a charming sense of traditionality. Properties are set back from the roadside with rear gardens which are bordered by low stone walls that match that used in most of the properties providing wide views across each garden, and the clearly defined open space to the rear. This lends a pleasant sense of spaciousness in and around the site. These all contribute positively to the significance of the CA.
5. The proposal would introduce a rear extension to the property that would be the same height as the existing dwelling at its tallest part. It would use materials and detailing to match the existing dwelling. Nevertheless, the scale of the extension

would create a bulky mass to the rear that would be unreflective of and thus unacceptably jar against of the quaintness of the original dwelling. It would have a dominating presence that would also erode the sense of spaciousness. The proposal would include large bi-fold doors that would be an alien feature against the more traditional and prevailing smaller proportioned openings of the existing house. These harms would be exacerbated by the near all round visibility of the appeal building by virtue of the above factors.

6. Special attention should be paid to the desirability of preserving or enhancing the character or appearance of conservation areas. Paragraph 212 of The National Planning Policy Framework 2024 (the Framework) places emphasis on great weight being given to their conservation.
7. Due to the scale of the development in context, the harms I have found above would be less than substantial. As directed by paragraph 215 of the Framework, they should be weighed against the public benefits. These have been advanced as the needs of the appellant's family, foul drainage issues and electrical faults in the existing kitchen although these are mainly of a private nature and so they would attract limited weight. There would be accommodation provided for rent and/or business. But I would only afford this limited weight as a wider need for holiday accommodation because it is unclear as to whether this is either wholly reliant on the appeal scheme or there is an evidenced shortage thereof.
8. Given the assessment above, the proposal would neither preserve or enhance the character or appearance of the CA. Consequently, it would conflict with Policies GSP3 and L3 of the Peak District National Park Authority Core Strategy Development Plan document 2011 (CS) and Policies DMC3, DMC8 and DMH7 of the Peak District National Park Development Management Policies 2019 (DMP). These are concerned with preserving the character or appearance of a conservation area amongst other things.

Living Conditions

9. The appeal property is set further back than the two neighbours however, their gardens run parallel to one another with low boundary treatments allowing open views between the sites. The appeal building is set particularly close to the gardens of the Sunny Lea properties.
10. The proposal would introduce a high wall close to the gardens of Sunny Lea. The tallest part of the extension would be set away from the neighbour, but due to the land levels of the site, the lowest part of the extension would still be a considerable height to allow a level floor through the dwelling. The somewhat looming effect of the height, proximity and run of the extension would therefore appear overbearing to users of the garden and could cause an unacceptable loss of light. Its scale would be oppressive and would garner a strong sense of enclosure for the neighbouring occupants, detrimentally affecting their outlook. The proposal would be set an adequate distance away from Grey Gables and due to the position of a single storey outbuilding, its scale would not cause harm to the living conditions of those occupants.
11. Nevertheless, given the harm that I have found to the living conditions of the occupants of Sunny Lea, the proposal would conflict with Policy GSP3 of the CS which is concerned with the living conditions of communities amongst other things.

Climate Change Mitigation and Flood Resilience

12. The Framework requires that a site-specific flood risk assessment should be provided for all development in Flood Zone 2, and such has not been provided. Mitigation and some justifications have been presented, but that would not negate the need for a site specific assessment which would go into potentially important detail in the context of the relative risk.
13. The appellant has set out measures that would provide some level of climate change mitigation within the proposal. Given the relatively modest scheme for a residential extension, there is limited scope to require anything further. No compelling case has been put before me to suggest why this would not be adequate to meet the relevant requirements of CC1 of the CS. A suitably worded condition could potentially be used to secure such matters.
14. Nevertheless, given the lack of a flood risk assessment, I cannot be sufficiently confident that there would not be an increased flood risk as a result of the proposal. Therefore, there would be conflict overall with the aims of CC1 and CC5 of the CS which are concerned with development being safe from flooding amongst other things. Even if a flood risk assessment would address these matters, it would not address other outstanding concerns relating to the first and second main issues.

Other Matters

15. The dwellings closest to the appeal site are not uniform in their design however that does not alleviate the harm that I have identified to the CA as set out above. In addition, the lack of objection from the occupants of the neighbouring properties does not outweigh the policy position and the harm that I have found to their living conditions as demonstrated above which is as a result of my independent assessment against the relevant main issue.

Conclusion and Recommendation

16. For the reasons given above, the appeal scheme would conflict with the development plan and there are no sufficiently weighty material considerations, including the approach of the Framework, to indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

L Clark

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR