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# Appeal Decision

Site visit made on 7 February 2023

**by J D Clark BA (Hons) DpTRP MCD DMS MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 24 March 2023**

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**Appeal Ref: APP/P1045/D/22/3310059**

**34 Castle View Drive, Cromford, Derbyshire, DE4 3RL**

- 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 Andy Sykes against the decision of Derbyshire Dales District Council.
  - The application Ref 22/00893/FUL, dated 29 July 2022, was refused by notice dated 26 September 2022.
  - The development proposed is described as "*form first floor extension above existing ground floor garage. Proposed remodelling of exterior to upgrade insulation and form contemporary dwelling*".
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## Decision

1. The appeal is allowed and planning permission is granted to form first floor extension above existing ground floor garage. Proposed remodelling of exterior to upgrade insulation and form contemporary dwelling at 34 Castle View Drive, Cromford, Derbyshire, DE4 3RL in accordance with the terms of the application, Ref 22/00893/FUL, dated 29 July 2022, 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:
    - *Location Plan – 1:1250 & 1:500.*
    - *Drawing Nos: - 2213 02-00 1; 2213 03-00 1; 2213 06-00 3; 2213 07-00 3; & 2213 08-00 3.*

## Preliminary Matters

2. The Council states that the Conservation and World Heritage site boundaries run parallel with the A6 to the north-east of the appeal site. No details of these boundaries have been submitted but the A6 lies some distance away from the appeal site and its relationship to a Conservation or World Heritage site are not referred to in the reason for refusal and so I have not assessed the appeal on the basis of any heritage implications.
3. Trees in the adjacent Carr Wood are protected by a Tree Preservation Order but the Council's arboricultural assessment concluded that the nearest trees are sufficiently far enough away as to not be affected by the proposal. I have no reason to disagree with this.

## **Main Issue**

4. The main issue is the effect of the proposal on the character and appearance of the area.

## **Reasons**

5. The appeal site comprises a detached house and the land around it located at the end of a cul-de-sac. To the east the site adjoins Carr Wood which has limited public access but is accessible from the appeal site. The site is situated on land rising from north to south with the nearest neighbouring house on the opposite side of the road, No 1 Castle View Drive being lower than the appeal site and the adjacent woodland dropping away towards the A6.
6. A terraced rear garden rises steeply upwards and the flat roof to the existing garage at the side of the house is accessible from the garden. This has railings around it and provides an elevated terrace. The upper level of the rear garden provides a higher level grassed terrace. The existing house is brick built and constructed in the mid 1970's. The other dwellings in the cul-de-sac are also finished in similar brick and roofing materials and appear to date from around the same time.
7. The proposal would extend above the garage and feature a large glazed area to enable the appellant to enjoy the views over the valley. The appearance of the house would also be significantly altered by the proposed modern alterations to its external facing materials which would render the lower levels of the house and add timber or composite cladding to the upper floor. The concrete roof tiles would be replaced with new tiles with a slate appearance. Window frames, doors and soffits would also be replaced with anthracite upvc.
8. The proposed extension would be a substantial addition to the house and as it would be at first floor level it would be visible from Castle View Drive. As the house is located at the head of the cul-de-sac, the extension and the new facing materials to the rest of the house would be fairly prominent. However, although the extension would be substantial, it would not be so large or intrusive as to adversely affect the general design, scale or form of the existing dwelling. Also, although the proposed render and cladding would alter the external appearance of the house, it would not unduly harm the general character of the area or the street scene.
9. Furthermore, whilst the feature window with its large area of glazing would introduce a new feature that is not typical in the cul-de-sac, it would face down the valley and be most prominent from the windows and garden of the neighbouring house opposite, No 34, which appears to have its main habitable rooms window on the other side of the house overlooking the valley. It would also be visible from Carr Wood but as stated, this seems to have limited access. From further afield any views of No 34 would be distant ones and set against the backdrop of rising land.
10. Given the above, the proposal would not conflict with Local Plan<sup>1</sup> Policy PD1 which seeks to ensure that new development respects the character, identity and context of the Derbyshire Dales townscapes and landscapes, amongst other things. It would also be consistent with the aims of the Council to support proposals for extensions to residential properties provided that they meet the

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<sup>1</sup> Derbyshire Dales District Council Adopted Derbyshire Dales Local Plan, 7 December 2017.

criteria set out in Local Plan Policy HC10 including, that the plot size is large enough to accommodate the extension and its height, scale, form and design is in keeping with the original dwelling.

11. For the above reasons, I conclude that the proposal would not have a harmful effect on the character and appearance of the area.

### **Conditions**

12. I have considered the suggested conditions in the light of the Planning Practice Guide<sup>2</sup> and a condition requiring the development to be carried out in accordance with the approved plans is required for the avoidance of doubt and in the interest of proper planning. However, a condition suggested by the Council requiring the materials of construction to match the existing house would conflict with the submitted plans as it is clear that the works to the exterior of the house would introduce new render and cladding. Such a condition would not therefore be appropriate and given that the materials are described on the submitted plans no other condition in relation to these is necessary.
13. The appellant has suggested a condition requiring the installation of solid wood vehicular and pedestrian gates. However, the intention of these would be to reduce the public view of the proposed extension but as I have found no harm with the appearance of the extension, I see no reason to screen it. In any event, I have no information as to what height or what the appearance of such gates would be so I do not propose to impose such a condition.

### **Conclusion**

14. For the reasons given above I conclude that the appeal should be allowed.

*J D Clark*

INSPECTOR

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<sup>2</sup> Planning Practice Guide, Published 6 March 2014, 23 July 2019.