



Appeal Decision

Site visit made on 13 June 2023

by J Moore BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 July 2023

Appeal Ref: APP/P1045/D/23/3320478

Wood End, West End, Wirksworth, Derbyshire DE4 4EG

- 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 Mrs Jen Bowyer against the decision of Derbyshire Dales District Council.
 - The application Ref 22/01237/FUL, dated 6 November 2022, was refused by notice dated 30 January 2023.
 - The development proposed is described as replacing old and rotten existing wooden shed and workshop with a brick built permanent garage/workshop.
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the proposal would preserve or enhance the character or appearance of the Wirksworth Conservation Area; and
 - the effect of the proposal upon the character and appearance of the host property.

Reasons

3. Wood End is a large, detached dwelling in a relatively large plot within the 'West End' sub area of the Wirksworth Conservation Area (CA). An appraisal¹ sets out the historical and architectural significance of the CA, which includes significant areas of historic landscape which form the backdrop to and from vistas from the town.
4. The proposed garage/workshop would have a roof pitch of 45°. This would be much steeper than the prevailing angle of 35-40° that is typical of the dominant Georgian and Victorian architectural style of the Wood End sub area and the wider CA. With an eaves height of 2.5m and a further 2.9m to the ridge, the roof would appear as significantly oversized and disproportionate. Thus, the outbuilding would appear as a discordant and incongruous addition to its host property, and to the prevailing roofscape of the CA.
5. Due to the location of the proposed outbuilding to the rear of its host, it would not be directly in view from the frontage to the street. However, it would be in view from the rear of surrounding properties and from public vantage points.

¹ The Wirksworth Conservation Area Appraisal 2001

6. Although the appellant seeks to construct the outbuilding in materials to exactly match its host, the submitted plans do not detail rainwater goods, lintels or cills to openings, or any brick detailing that would match its host. However, the Council accepts that such matters could be controlled by suitable conditions, and I find no reason to disagree.
7. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires when determining proposals in conservation areas that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The National Planning Policy Framework (the Framework) makes clear 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. The more important the asset, the greater the weight should be. The harm I have identified is less than substantial, and therefore the harm must be weighed against any public benefits of the proposed development.
8. The outbuilding would be used by the occupiers of Wood End, and it could enable the more effective heating and lighting sought by the appellant. Such benefits would represent an improvement to residential amenity of the occupiers, which would not be a public benefit. Temporary economic benefits would arise during construction, and the proposal could assist in tackling climate change. However, such wider public benefits would be small in scale and limited. Consequently, there are no public benefits that would outweigh the harm to the heritage asset.
9. I therefore conclude that the proposal would harm the character and appearance of the host property and fail to preserve or enhance the character or appearance of the Wirksworth Conservation Area. It conflicts with Policies PD1, PD2 and HC10 of the Derbyshire Dales Local Plan 2017 (LP).
10. These policies seek to ensure that development is of high quality design that respects local character and distinctiveness, and contributes positively to the character of the built and historic environment; that heritage assets are conserved in a manner appropriate to their significance; and that outbuildings are in keeping with the scale and character of the original dwelling, and the site's wider setting and location. The proposal also conflicts with the requirements of the Framework and the Act.

Other Matters

11. I acknowledge the appellant's objective to maximise the available space within the roof of the proposed building which may assist in meeting any future needs such as a home office. While the proposal does not detail a home office, such an approach would accord with Policy PD1 of the LP, in so far as it seeks to ensure that new development is designed to offer flexibility for future needs, but this does not alter my conclusions on the main issues. Additionally, the absence of neighbour objections is a neutral factor in my consideration of the proposal.

Conclusion

12. Given my findings above, the proposed development conflicts with the development plan when considered as a whole, and there are no material considerations, either individually or in combination, that outweighs the

identified harm and associated development plan conflict. The scheme also fails to accord with the requirements of the Framework and the Act.

13. For the reasons given above, I conclude that the appeal should be dismissed.

J Moore

INSPECTOR