



Appeal Decision

Site visit made on 30 April 2024

by A Veevers BA(Hons) DipBCon MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16.05.2024

Appeal Ref: APP/H1033/D/23/3332471

69 Manor Park Road, Glossop, Derbyshire SK13 7SH

- 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 Steve Draper against the decision of High Peak Borough Council.
 - The application reference is HPK/2023/0203.
 - The development proposed is described as 'new draught lobby and garden wall to front elevation'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. In its officer report, the Council has raised concerns regarding the effects of the proposal on the setting of the Old Glossop Conservation Area (CA). In doing so it has referred to Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). Section 72(1) requires that special attention shall be paid to the desirability of "preserving or enhancing the character or appearance" in a Conservation Area. However, the appeal site lies outside of the CA and the consideration of its setting does not apply within current legislation as Section 72(1) specifically refers to buildings or other land in a CA.
3. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. However, as the Framework's policy content insofar as it relates to the main issues has not been significantly changed, albeit paragraph numbers have changed, there is no requirement for me to seek further submissions on this latest version. I am satisfied no party would be prejudiced by determining the appeal accordingly.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the host building and the area, having regard to the setting of the Old Glossop CA and the nearby Grade II listed former Tabernacle Chapel and Northern Glass Works.

Reasons

5. The appeal property is a two storey semi-detached dwelling located at the end of a traditional stone terrace on the edge of Glossop. Together with 71 Manor Park Road (No.71), the semi-detached pair directly abut the pavement. The

Grade II listed former Tabernacle Chapel is adjacent to the appeal site. I have therefore had regard to section (66)1 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act), which requires special regard be paid to the desirability of preserving listed buildings and their settings. The setting of a heritage asset is defined in the Framework as the surroundings in which the heritage asset is experienced.

6. The listed building is set back from the road behind a paved parking area which is enclosed by the gable elevation of the appeal property and a low stone boundary wall to the south and by a stone boundary wall to the north. This building is now in residential use and is known as The Coppice. From the details available to me, including the list description (Ref. 1384279), I consider that its special interest and significance, insofar as it relates to this appeal, is predominantly derived from its age and historical social interest as a former chapel, along with its imposing but simple gabled, symmetrical 3 bay ashlar gritstone exterior and tall round-headed windows.
7. Despite the residential conversion of the building and the creation of frontage parking, the wider setting of the former Tabernacle Chapel forms an important part of its significance as a prominent centrepiece to the long terrace along a historical principal route to Old Glossop from the Sheffield Turnpike.
8. Evidence indicates that the former Tabernacle Chapel was originally listed with an earlier chapel to the north, now known as Northern Glass Works. Both these buildings are now listed separately. The Northern Glass works is a Grade II listed building, separated from the former Tabernacle Chapel by a narrow access which leads to a cricket club. The listing description of Northern Glass works (Ref. 1384281) states that it was a former Wesleyan Chapel. It is now an industrial unit.
9. The significance of the Northern Glass works, insofar as it relates to this appeal, largely stems from its use, age, form and intact fabric. Of note, and contributing to the significance of the listed building, the listing description makes reference to the entrance front with attached spear-headed iron railings on low plinth wall with 4 piers with pyramidal caps and the side wall with coping and square headed cap with chamfered corners.
10. The domestic scale of the adjacent terraced properties, including the appeal site to a limited extent, and the open undeveloped qualities of the park opposite contribute to the setting of these listed buildings to the extent that it enables uncluttered views of the buildings, including the walls and railings of the Northern Glass Works, to be experienced from the adjacent footway.
11. The CA expands from the historic core of the town towards the appeal site to encompass Manor Park on the west side of Manor Park Road, but the east side of Manor Park Road is excluded from the CA.
12. Although no statutory protection for the setting of a conservation area is present within the Act, the Framework requires that I identify and assess the significance of any heritage asset that may be affected by development, including any contribution made by their setting. From my observations and the evidence presented, the significance of the CA is derived from its surviving medieval market cross at its core, the age and architectural mix of traditional cottages and other early vernacular buildings, and an overwhelming prevalence

of stone buildings, including stone roofs, as well as the predominance of Manor Park.

13. Manor Park sits at the edge of the CA and is tree-lined along its boundary with Manor Park Road, behind a stone wall. The predominantly uniform linear backdrop of buildings along the east side of Manor Park Road, which includes the appeal site, form a part of the sense of enclosure to the CA and the way in which the open qualities of the park are appreciated, thus contribute positively to its setting and to the significance of the CA, albeit given the size of the appeal site, the contribution it makes is small. Nevertheless, the appeal property is clearly visible and notable, along with most of the properties to the south of the site, for being unarticulated with modern features. The scale and form of the appeal site and neighbouring properties to the south retain an appearance of simple, domestic and vernacular workers houses that help define the setting and distinctiveness of the CA.
14. The proposed lobby would project from the front elevation of the appeal property, and a low stone boundary wall would be constructed to provide an enclosed frontage to the property. In order to construct the lobby, an existing low stone wall attached to the front corner of the appeal building would be removed.
15. There is a general consistency of building age, height, proportions, proximity to the street and the use of chimneys, stone and slate roofs along the east side of Manor Park Road that reinforce the positive characteristics of the street. The relatively straight alignment of Manor Park Road emphasises the strong, simple front elevations of the properties along the road, including the appeal building.
16. Although some of the properties have small front gardens enclosed by a low stone wall, only one property (No.73) has a front porch. I saw that this porch has a notable and harmful presence amongst the broadly uniform and simple terraced frontages.
17. Due to this simplicity, the projection of the proposed lobby, albeit small, would result in a further incongruous addition to this part of the street and undermine the overall integrity of the pair of semi-detached dwellings.
18. Furthermore, the front doorway of the appeal site, mirroring that at No.71, is recessed within a stone surround and is of relatively low height, reflective of the early cottage origins of the pair. The proposal would result in the vertical enlargement of the original door opening, which would diminish the architectural integrity of the building. It would introduce a structure that would dominate and disrupt the composition of the semi-detached pair and harmfully detract from the character and appearance of the host building and the surrounding area.
19. Even though the appeal property sits forward of the former Tabernacle Chapel towards the road, given its proximity to this building and that the proposal would project beyond the front face of the host building, it would intrude further into views of the listed building when approached from the south.
20. Notwithstanding that the existing low boundary wall is attached to the appeal property, it forms an enclosure to the southern boundary of the listed building's frontage. Although the proposal would incorporate traditional materials, the loss of the wall and replacement with the proposed addition to the front

elevation of the appeal property would be an incongruous feature that would be discordant when viewed in juxtaposition with the neighbouring listed building. It would distract attention and it would detract from the simple but commanding form and context of this listed building. Therefore, the proposal would make a negative contribution to its setting, and hence there would be harm to the significance of the adjoining Grade II listed former Tabernacle Chapel.

21. Due to the distance of the proposed development from the Northern Glass works, the intervening former Tabernacle Chapel and parking area along its frontage, I do not consider that the proposal would harm the small contribution that the appeal site's qualities make to the significance of the Grade II listed Northern Glass works or its setting.
22. Turning to the effect on the setting of the CA, the proposal, while disrupting the character and appearance of the host building and prevailing building lines of the nearby residential properties, would not impinge on views both into and out of the CA. In view of the scale of the proposal, the collective sense of enclosure derived from the strong uniformed presence of buildings along Manor Park Road would not be substantially harmed. I therefore find that the proposed development would have a neutral effect on the setting of the CA.
23. Drawing all of the above together, I conclude that the proposal would have a harmful effect on the character and appearance of the host building and surrounding area. In particular, it would diminish the contribution that the former Tabernacle Chapel's setting makes to its significance as a designated heritage asset. In doing so, it would harm this listed building's significance as a whole.
24. Paragraph 205 of the Framework states 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. Paragraph 206 goes on to advise that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Given the proposals' localised extent, the harm arising would be less than substantial in this instance, nevertheless it is of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
25. The appellant contends that the proposal would provide an opportunity to improve the energy efficiency of the property and reduce energy costs. I acknowledge that this aim aligns with the sustainable development objectives of the development plan and the Framework. However, in this case no evidence has been presented to demonstrate how the appeal proposal would specifically contribute in this regard and what alternative options have been explored. Accordingly, I give this matter limited weight.
26. The limited public benefits outlined above, do not outweigh the great weight given to the identified harm. Consequently, the development would conflict with Section 66 (1) of the Act, with regard to the setting of a listed building. There would also be conflict with Policies S1, S5 and EQ7 of the High Peak Local Plan 2016 which taken together, amongst other things, seek to conserve heritage assets, including sustaining and enhancing their significance and Section 16 of the Framework which is concerned with the historic environment.

27. There would be conflict with Policies S1a and EQ6 which, amongst other things, seek development that is well designed, sustainable and is of high quality. Finally, there would be conflict with Section 12 of the Framework which sets out an expectation that development will add to the overall quality of the area and be sympathetic to local character and history.

Other Matters

28. It has been put to me by the appellant that the erection of a porch could be constructed using permitted development rights¹. However, there is little evidence before me to support this claim. Therefore, I cannot be sure that it would have a greater than theoretical possibility of being implemented in order to be a realistic or probable alternative or that it would be less harmful than the proposed development. This does not provide a compelling ground on which to allow the appeal.

Conclusion

29. The development would conflict with the development plan when considered as a whole, the Framework and the Act. There are no material considerations of such weight to lead me to conclude otherwise.

30. The appeal is dismissed.

A Veevers

INSPECTOR

¹ The Town and Country Planning (General Permitted Development) (England) Order 2015