

July 2025

Statement of Case

Appeal against the refusal of an application for
a new single storey garden room extension and conservation repairs
(application refs.: HPK/2024/0323 and HPK/2024/0324)

Dakin Cottage, Waterswallows Road, Fairfield, Buxton, Derbyshire, SK17 7JJ

Produced By:

Planning & Design Practice Ltd
3 Woburn House, Vernon Gate, Derby, DE1 1UL

www.planningdesign.co.uk

Derby Head Office

Second Floor, Suite 3 Woburn House
Vernon Gate, Derby, DE1 1UL
01332 347371

Matlock Office

Cromford Creative, Cromford Mills
Mill Lane, Cromford, Matlock,
Derbyshire, DE4 3RQ

Macdesfield Office

Waters Green House, Walters Green,
Macdesfield, SK11 6LF
07969 871264

Sheffield Office

32 Gilbert Street, Park Hill,
Sheffield, S2 5PN

Document Control Sheet

Project Name	Dakin Cottage, Waterswallows Road, Fairfield, Buxton, Derbyshire, SK17 7JJ
Client	Mr Antony and Mrs Tiffany Atkinson
Project Reference	5316
Team Members	Mollie Arif
Project Manager	Jon Millhouse

Version	File Name	Description	Prepared	Checked	Date
01	5316_SoC_01	Statement of Case	MBA/JM	JM	09.04.25
02	5316_SoC_02	Statement of Case	MBA/JM	JM	19.05.25
03	5316_SoC_03	Statement of Case	MBA/JM	JM	19.06.25

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1 Introduction

- 1.1 Planning & Design Practice is a multidisciplinary practice consisting of chartered town planners, architects and heritage specialists. The practice operates across England and Wales and has an exemplary track record of submitting successful planning applications and appeals in creating sustainable development.
- 1.2 This Statement of Case has been prepared by Planning & Design Practice on behalf of Mr and Mrs Atkinson (“the Appellant”) in respect of an appeal against the decision by High Peak Borough Council (“the Council”) to refuse to grant planning permission and Listed Building Consent (application refs: HPK/2024/0323 and HPK/2024/0324) for a new single storey garden room extension and conservation repairs to Dakin Cottage, Waterswallows Road, Fairfield, Derbyshire, SK17 7JJ.
- 1.3 The planning and Listed Building Consent applications were submitted to the Council on 25th July 2024 and validated on 26th July 2024.
- 1.4 The Council resolved to refuse planning permission and Listed Building Consent for the proposed development under delegated powers, in line with the recommendations set out in the Decision Notice, dated 18th February 2025, citing the following reason for refusal:
- 01. The proposed extension, by virtue of its siting, size, scale and design, would fail to appear subordinate to the host dwelling, to the detriment of the visual character and significance of the listed building. The development therefore causes less than substantial harm to the heritage asset, which is not outweighed by any public benefit. The development therefore fails to comply with policies EQ6 and EQ7 of the High Peak Local Plan 2016, adopted Design Guide 2018 and section 16 of the National Planning Policy Framework.*
- 1.5 This decision was taken following pro-active attempts by the Appellant to resolve areas of dispute with the Council during the determination period.
- 1.6 The Officer’s Report for the application and Council’s Decision Notices are attached at Appendix A and B.

2 Site Description and Planning History

Site Context

- 2.1 The appeal site is located on the northeast edge of Buxton to the south of Waterswallows Road and extends approximately 0.34 ha. The site comprises a detached dwelling (Dakin Cottage) on a spacious plot, with garden space surrounding the dwelling.
- 2.2 The site is located within a strip of residential development along the south of Waterswallows Road. The site is bound by dwellings to the east and west, with Waterswallows Road forming the boundary to the north and new housing development (approved through refs: HPK/2020/0008 and HPK/2021/0405) located beyond the tree cover to the south on a higher elevation, as shown in Figure 1.



Figure 1 View of northern elevation of Dakin Cottage from Waterswallows Road, with new build dwellings visible to the south

- 2.3 The site is accessed by a private driveway off Waterswallows Road, sloping parallel down towards the east and opens into a parking area at the northeast of the site. Figures 2 and 3 depict this arrangement

in the late 19th century, where the driveway led to stabling around a courtyard. Landscaping, linear features and lanes depicted shows that Dakin Cottage was historically accessed from the east, either from the driveway via Waterswallows Road or from the south-east via Lesser Lane.

- 2.4 The Heritage Statement and phasing drawings submitted as part of the application assess that the principal elevation to be the southern. If we are to define secondary 'rear' elevations, they historically appear to be to the west and north, enclosed by what appears to be a yard. This yard is expected to have functioned as a 'working yard'. The land shown on the 1878 map clearly depicts land addressing Lesser Lane to the south, east and north of the yard to be landscaped and therefore of higher status.

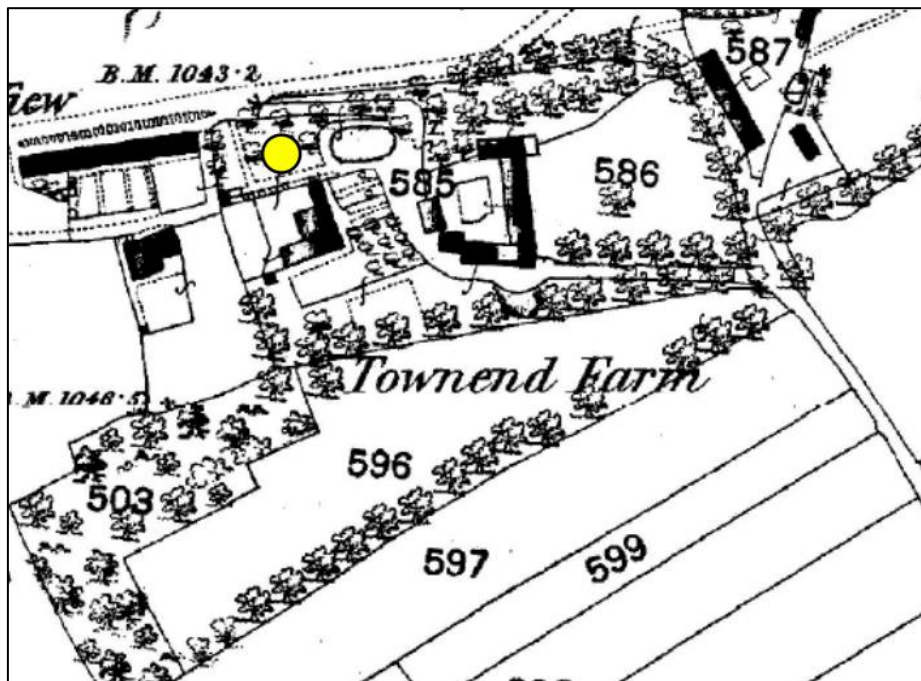


Figure 2 OS 1878 Showing Site

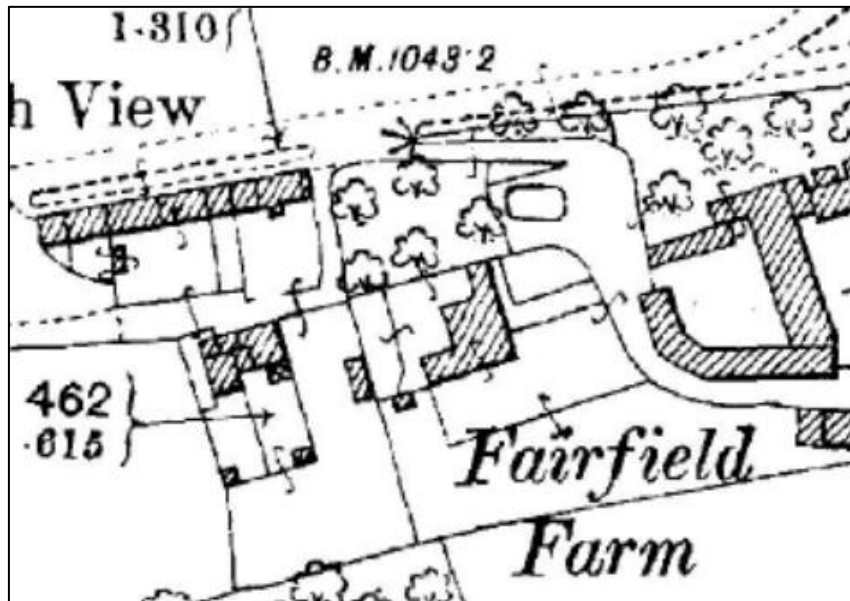


Figure 3 OS 1897

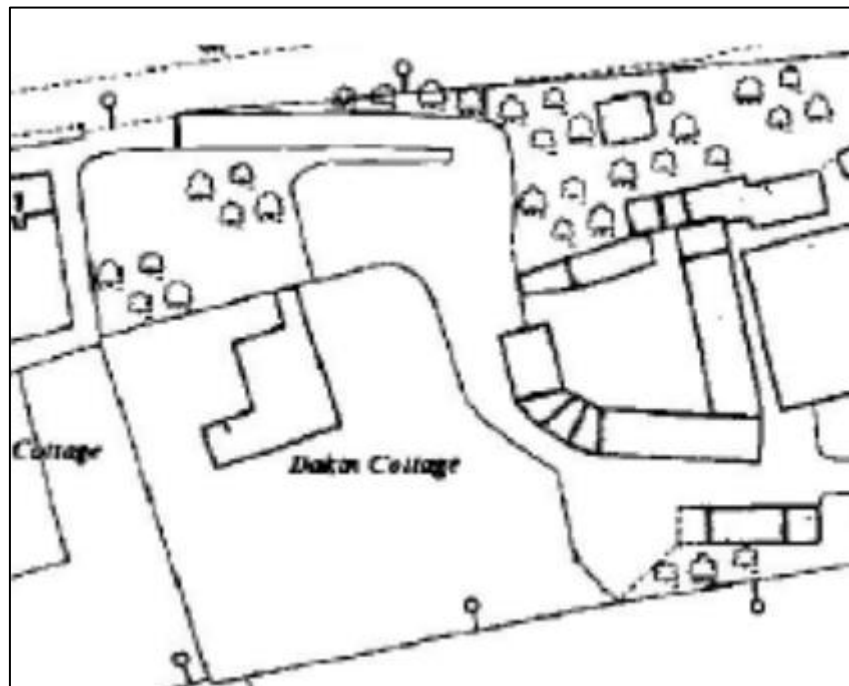


Figure 4 OS 1973-74

- 2.5 'Dakin Cottage and Attached Garden Wall' is Grade II Listed (List Entry: 1257798), with the list entry stating the following:

Formerly known as: Fairfield Farm, Townend. WATERSWALLOWS STREET Fairfield. Farmhouse, now house. 1683, altered late C18 with C20 alterations. Coursed limestone rubble, with gritstone dressings, stone slate roof with coped gables, kneelers, cross finials and stone stacks. PLAN: T-plan. EXTERIOR: 2 storeys. Quoins. South garden front has 3 irregular windows. Off-centre 3-light flush mullion window with hood, to right two similar 2-light windows, to left a 4-light chamfered mullion window. Above central 4-light flush mullion window with hood flanked by similar single 2-light windows. East gable front has 2-light chamfered mullion window to right, and above central similar 3-light window. Beyond to left single storey C20 addition with stone doorway, glazing bar casement and 2 doors beyond. North gabled front has two C20 casements and above a similar casement. West front has ashlar doorway with hood supported on brackets and plank door, to left 3-light window in stone surround. Above 2 similar 2-light windows. North return front has blocked doorway to left with C20 2-light casement and 2-light casement to right, above similar 2-light window and to left a small circular opening. INTERIOR: has at first floor roof truss visible with staggered purlins, trenched into rafters. Beams to ground floor have protruding pyramidal stops. Possible original square headed fireplace survives to right-hand room. The left-hand unit reached internally through a chamfered doorway. SUBSIDIARY FEATURES: attached crenellated garden wall, probably late C19, bears the Dakin crest (battleaxe in hand).'

- 2.6 The site is located in Flood Zone 1 and is at low risk of flooding and there are no other known ecological constraints.

Relevant Planning History

- 2.7 The following planning history is relevant for this site:

- HPK/2022/0419 | Listed Building Consent for alterations to upstairs layout. Approved June 2023
- HPK/2005/0499 | Repair to Kitchen Roof and Internal Alterations. Approved August 2005

3 Planning Policy Context

3.1 The Development Plan for High Peak Borough Council consists of the High Peak Local Plan (2016). Other material considerations in this appeal include the National Planning Policy Framework (2024), Planning Policy Practice Guidance, the Planning (Listed Buildings and Conservation Area) Act 1990 and the High Peak Design Guide (2018).

3.2 Relevant policies are listed below, with those policies and guidelines referenced in the Council's reasons for refusal discussed further where necessary.

3.3 The Development Plan

High Peak Borough Council Local Plan (2016)

- Policy EQ6 Design and Place Making
- Policy EQ7 Built and Historic Environment

Other Material Considerations

National Planning Policy Framework

In particular:

- Paragraph 167
- Paragraph 202
- Paragraph 207
- Paragraph 210
- Paragraph 212
- Paragraph 213
- Paragraph 215
- Paragraph 219

Planning (Listed Building and Conservation Areas) Act 1990

3.4 Section 66 provides a statutory duty in respect of Listed Buildings for the decision maker to:

'Have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.'

High Peak Design Guide (2018)

- 3.5** The High Peak Design Guide sets out detailed guidance regarding development within the local authority in relation to scale, massing, design, form and use of materials. Key guidance relevant to these proposals is referenced throughout this Statement of Case.

4 Amplification of the Appellant's Case

- 4.1 As aforementioned, the decision to refuse the proposed development at Dakin Cottage, was based on the following reason:

01. The proposed extension, by virtue of its siting, size, scale and design, would fail to appear subordinate to the host dwelling, to the detriment of the visual character and significance of the listed building. The development therefore causes less than substantial harm to the heritage asset, which is not outweighed by any public benefit. The development therefore fails to comply with policies EQ6 and EQ7 of the High Peak Local Plan 2016, adopted Design Guide 2018 and section 16 of the National Planning Policy Framework.

- 4.2 For completeness and to support the Appellant's case, each aspect of the proposal set out in the reason for refusal are addressed in turn below, with reference made to the relevant Local and National policies.

Assessment of Design

Siting

- 4.3 The proposed single storey extension is on the north elevation of the dwelling and would be sited between the dwelling itself and the listed garden wall. With respect to the siting of this extension in relation to the historic significance of the dwelling, it is important to appreciate its phased evolution.
- 4.4 The Heritage Statement in section 3.3 sets out the architectural context of the evolution of the historic building's plan form. The Appellant's proposals are informed by this, as set out in the Design and Access Statement. In particular, the way the plan developed to increase the living accommodation and standards, without affecting the appearance of the main [principal] elevation. Brunskill identifies that one way to do this was to extend to the rear in the form of a wing — this is quite typical and seen in many hall houses from this period.
- 4.5 Extending again to the north with a wing perpendicular to the original cross wing is an entirely logical and appropriate evolution for the property. It is done so in a way which 'preserves the Renaissance ideal' without affecting the appearance or setting of the main [principal] elevation (identified as 'high' significance consistent with grade II designation).

- 4.6 The fact that the extension projects beyond the west elevation of the cross wing is, therefore, of no detrimental consequence. It follows this building type's typical historic evolution: from 'I' shaped Hall, to 'T' or 'L' to an 'H' plan and in this case, does not in any way affect the principal elevation.
- 4.7 The Council's suggestion that this is problematic is seemingly a misguided application of more generic 'householder' guidance, typically written for C19 and C20 houses facing a street with clear 'front', 'side' and 'rear' elevations. It is a false assumption that the west elevation is an elevation that applies to the householder guidance, because there is an external doorway into the late C19 cross wing extension (or it now fronts a formal garden). Historic mapping clearly identifies the west elevation faced into the enclosed yard.
- 4.8 In terms of impact on the significance of the heritage asset, the Relative Significance Plan (Figure 7) clearly shows an appropriate siting where any physical interaction with the historic building is limited to fabric of 'medium' or 'low' significance (consistent with non-designated listing at local level).
- 4.9 Due to the evidence set out above, it is asserted that contrary to the Council's reason for refusal, the siting of the extension is appropriate and subordinate to the main dwelling by having no impact on the principal elevation of the house.
- 4.10 Best practice conservation design principles have been applied and informed by an assessment of the historical evolution of the dwelling and its heritage significance. This is in accordance with the NPPF and objectives of Policy EQ7 of the Local Plan to: *'conserve heritage assets in a manner appropriate to their significance'*, through the policy's criteria of *'demonstrate how the proposal has taken account of design, form, scale, mass, ... siting and views away from and towards the heritage asset in order to ensure that the design is sympathetic and minimises harm to the asset.'*



Figure 5 Principal Southern Elevation of Dakin Cottage

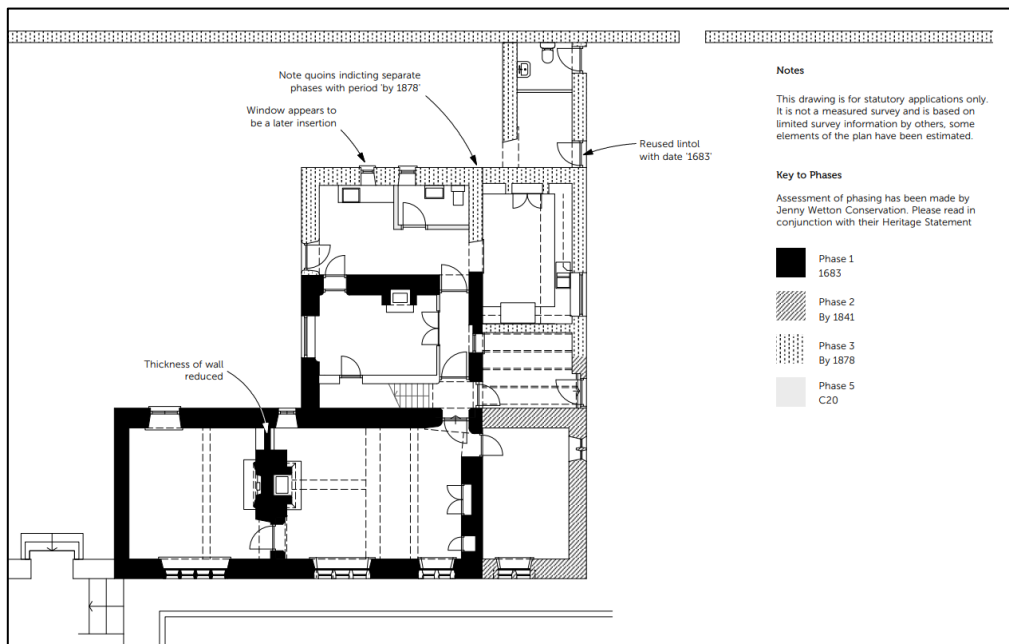


Figure 6 Phasing Plan

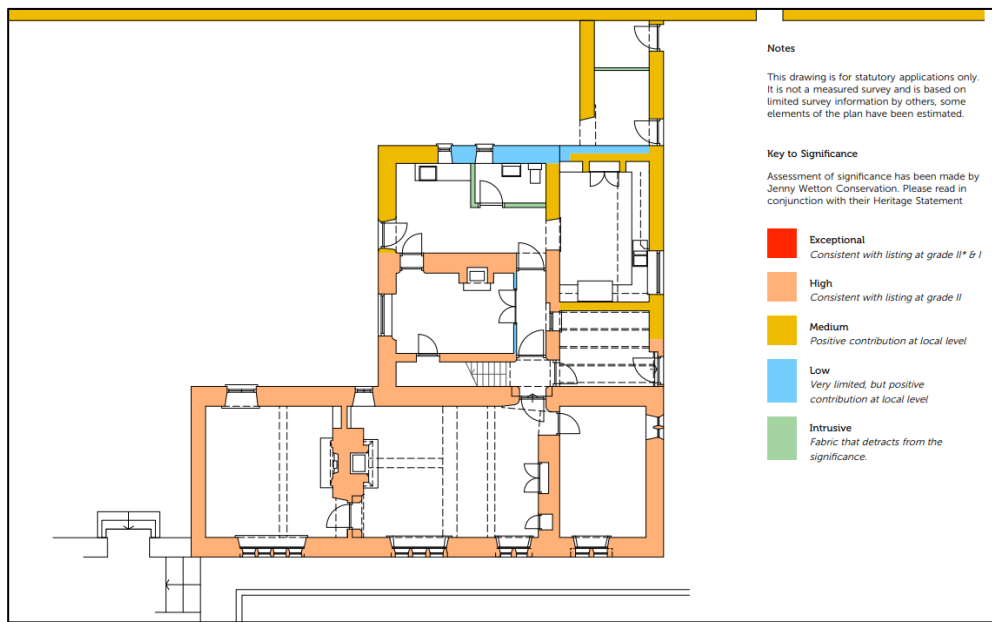


Figure 7 Relative Significance Plan

Size and Scale

- 4.11** The proposed extension takes its footprint primarily through the space available between the existing north gable and the garden wall, to present an extension with a gross internal floor area (GIFA) of 33sqm. This would increase the GIFA of Dakin Cottage (c. 265sqm) by around 12.45% and is therefore reasonably sized when related to the existing building; and bring into beneficial use, part of the existing building with no enclosure and limited purpose.
- 4.12** It has to be appreciated that to provide a reasonably sized functional space, the size of the extension requires the built form to project forward from the west building line. However as demonstrated, this is of no detrimental consequence — conversely it is beneficial, as interpretation of the historical evolution of the building typology to form a clear ‘H’ plan.
- 4.13** Nonetheless, during post submission consultations, revisions to the design were submitted to the Council via email on 14th November 2024 (Appendix C). This responded proactively to the Council’s concerns that the size and design of the extension would negatively conceal the west quoins of the north gable. The shape of the projecting part of the extension was reconfigured to reveal the quoins, to ensure they remain external and visible. Justification was provided for maintaining the overall relative size of the extension in the.

- 4.14 For the reasons provided above, when considered in tandem with its lightweight, reversible and contemporary design, the extension is summarised to be of a size that is not visually intrusive, but rather, justifiably subservient to the main dwelling.
- 4.15 In terms of height, the proposed extension comprises a single storey and a low pitch flat roof (the window cills on the north gable acting as a limiter for pitch). It was deliberately designed to be subservient in scale, to sit unobtrusively behind the garden wall and to retain views of the C19 north gable from Waterswallows Road. This serves to conserve historic filtered views through the mature copse towards the historic building; and therefore, preserve the character of the Conservation Area (for which of the application site forms part of the boundary to).
- 4.16 Nevertheless, the Officer's Report referred to the flat roof as 'squat' and not taking design notes from the pitched roof of the host dwelling, again it appears referring to generic householder guidance for extensions (Design SPD paragraph 5.5). The Officer failed to acknowledge the special particular circumstances that need to be taken into account for this heritage asset and its unique setting, where the guidance in this instance, acknowledges and advocates that an alternative form may be appropriate (Design SPD paragraph 5.6).
- 4.17 It was assessed by the Conservation Architect, that an extension with the same pitch would be overly dominant and fail to respond to the heritage asset's unique circumstances, thereby presenting an extension apologetic in character. This undesirable approach was described in the Design and Access Statement.
- 4.18 It is considered the Appellant's proposal is compliant with Policy EQ7 by taking into account form, scale, mass and views, to 'minimise harm to the asset' and clearly compliant with the SPD:

'5.5 All extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building with normally help.'

Design

- 4.19 Within feedback during the determination period [22nd October 2025], the Officer advocated a contemporary style and made reference to the SPD (Appendix C). This commonality was clearly consistent with the stylistic design of the proposals put forward and complaint with the SPD, due to the unique circumstances of the heritage asset. The relevant paragraph from the SPD reads:

'5.6 In some circumstances it may be acceptable to consider extensions which do not emulate the style of the original building. A more contemporary approach to an extension in terms of style and materials will provide a more honest recognition of the building's evolution and retain its historic integrity. These need to be handled carefully and must respond to the scale and character of the host dwelling.'

- 4.20 However, agreement could not be reached on the use of zinc as a contemporary roofing material (with the exception for giving a recommendation for approval, later retracted without justification), but instead advocated a glazed roof:

'A zinc roof is considered to clash with that of the listed building, particularly due to the required roof pitch which appears incongruous next to those of the host dwelling.'

'As such it is felt that our SPD's better support a more contemporary glazed style roof. A zinc poorly replicates the stone and slate of the host dwelling, a material of a more contemporary finish to highlight the extension as a modern addition would be preferred.'

- 4.21 The use of zinc was considered by the Conservation Architect, as a pragmatic alternative to lead, who recognised the risk of lead theft. Zinc is considered to be a good alternative to lead with the precedent for its use taken from other developments in the authority area (and wider Derbyshire Dales of the similar stone character), as evidenced in Page 14 of the Design and Access Statement – Fourth Issue (Appendix D).

- 4.22 To cite that a [g]lazed style roof is a more contemporary finish than zinc has no substance. To advocate that one particular material (glass, used in a contemporary manner) over another —and to cite that it 'better supports' the SPD— is subjective design preference over objective consideration of the proposal's

compliance with the guidance offered in the SPD. The Officer's statement is clearly a contradiction in terms, yet it advocates the same end as the proposals under determination.

- 4.23** The Officer goes on to cite paragraphs from the SPD, seeking to convince the applicant that a [g]lazed style roof is compliant:

'3.9 New buildings should use facing materials that either match or compliment those of the surroundings. Under certain circumstances, new materials can sometimes be used as a foil to more traditional materials to highlight and bring out their qualities.'

- 4.24** This is again a contradiction in terms and it is felt the Officer failed to understand or appreciate what is meant by how a particular material translates to being a foil. In this case, zinc was put forward as a foil for lead, as a flexible, folded and lapped metal roofing material. Use of a glazed roof imparts a change in character and function to the interior it encloses.

- 4.25** In any case, it appears both the Appellant and the Officer are stylistically advocating the same. Yet, the Officer has departed from objective consideration of whether the proposals comply with the objectives, sentiment and spirit of the SPD guidance.

- 4.26** The Design and Access Statement – Fourth Issue provided further information to help alleviate the Officer's fear that zinc will clash. Figure 8 depicts a physical sample of the zinc material in context of Dakin Cottage, to demonstrate its harmonious colouring with both the weathered stone slates, quoins and stonework generally. There is no evidence that the information provided in the Design and Access Statement was duly considered (subsequently, a request for a pitched roof was put forward by the Officer, see Appendix C).

- 4.27** Notwithstanding comments already made regarding a glazed roof, the Appellant considered a glazed roof was not pragmatically appropriate and sought to inform the Officer: "why" (and highlight the apparent conflict with wider energy, climate and sustainability local policy).

- 4.28** In review of the exchange of correspondence concerning the glazed roof, the Officer appears to accept a flat, low pitch roof — if in the form of glass — yet contradictorily refuses to accept such a roof form in

another material, despite there being no explicit restrictions within policy for the use of zinc, ample precedent for its use and clear compliance with the SPD.



Figure 8 Zinc sample (VMZINC Pigmento grey) overlaid onto photograph of stonework

Response to Climate Change and Sustainability

- 4.29** The Appellants have noted that due to the age of the house, the older parts of the house require considerable energy to heat, if traditional solid fuel is not used. In response and by virtue of its modern build, the extension is intended to become an energy efficient part of the house for the Appellants, with guidance taken directly from High Peak's Design Guide:

'3.15 Details are often the identifying factor for the age of the building and often result from a particular method of construction or skill. Depending on the sensitivity of the site, designers may choose to reinterpret the detailing of the surrounding buildings in new ways, or they may choose to adopt modern construction details to help meet today's high standards for the performance of the building envelope. [...]

3.17 We should be planning for new development to aim for zero carbon emissions [...]

4.30 The extension will subsequently serve as a kitchen/dining/entertainment space, benefitting from the thermal efficiency advantages of the modern build. The appellant will likely spend a considerable proportion of their time during the day in the extension, which can be heated efficiently, which should in turn reduce their overall energy consumption. It will also serve as a thermal buffer to the existing north end of the house, which is currently the coldest part of the property. In doing so, it will support the dwelling in meeting ‘*environmental performance standards*’ in line with Policy EQ6 of the Local Plan, which recognises the challenges posed by climate change.

4.31 In their assessment of the site however, the Council have failed to recognise the energy efficiency benefits of the proposed extension. This is despite Local Policy and SPD guidance recognising the importance of sustainability. Paragraph 167 of the NPPF also states:

‘Local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings, both domestic and non-domestic (including through installation of heat pumps and solar panels where these do not already benefit from permitted development rights). Where the proposals would affect conservation areas, listed buildings or other relevant designated heritage assets, local planning authorities should also apply the policies set out in chapter 16 of this Framework.’

4.32 The environmental benefits demonstrated above should therefore weigh significantly in favour of the scheme. Noting this is in the context that High Peak Borough Council declared a climate emergency in October 2019, which established their intention to work with partners to help achieve this carbon neutral status across the High Peak as a whole.

Summary

4.33 The sensitive approach to siting, scale, size and design, is evidenced clearly contrary to the Council’s assessment. The proposals align with Policy EQ6 and EQ7 of the High Peak Local Plan and the Design Guide SPD. This is because the extension is well designed to present a contemporary addition which is sympathetic to the character, identity and context of the Grade II listed Dakin Cottage. The proposals are therefore not detrimental to the visual character, yet conserve the historic significance of the Listed Building.

- 4.34 Whilst stylistic taste is a subjective matter, there is clear policy and a framework set out within the SPD, for its application with-in the historic environment of the High Peak.
- 4.35 The scheme is clearly informed by understanding of the heritage significance of the building in line with Paragraph 207 of the NPPF and responds to its unique setting and context. This is the essence of accepted good design in historic settings and whilst consistent with the policies of High Peak Borough Council, it is also widely recognised nationwide through the many examples of C21 contemporary styled domestic extensions to historic buildings that have passed the planning permission, listed building consent and appeals test. The precedent example set out on page 20 of the Design and Access Statement – Fourth Issue (Appendix D) demonstrates this.

Assessment of Impact

Impact on the Fabric of the Listed Building

- 4.36 Planning law dictates that applications should be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this regard, the requirement of Policy EQ7 is to *'minimise harm to the heritage asset'*. It does not require there to be 'zero harm'. All developments affecting Listed Buildings are likely to have an impact, whether positive, negative, or both, and a holistic approach is required.
- 4.37 When determining applications for development related to a heritage asset, Paragraph 210 of the NPPF states that local planning authorities should account for:
- 'a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.'*
- 4.38 The NPPF defines 'significance' as:

The value of a heritage asset to this and future generations because of its heritage interest.

- 4.39** The proposal will add a new phase to the evolution of the property that is respectful to its significance. This will crucially enable the property to adapt to 21st century living, thus ensuring its conservation and maintenance in its optimum viable use, long into the future. Without such sensitive adaptations over time, Listed Buildings such as Dakin Cottage are at risk of becoming less desirable places for investment and active conservation.
- 4.40** It is set out in this appeal that very minimal harm to the significance of the Listed Building would result from these proposals. This will arise through a negligible level of harm to the historic fabric of the exterior walls at the northern elevation. Here, structural fixings and provision of openings to create internal access will impact the historic fabric, however the openings are of a minimal size and located in an area of lower significance. It is also important to note that the extension is reversible and located on the elevation of low – medium significance, comparable to a non-designated heritage asset and does not interfere with the areas of high historic significance.
- 4.41** The proposed harm would be mitigated by the removal of the soil pipe and the repointing of the dwelling with lime mortar, which collectively would seek to conserve and enhance the visual character and appearance and technical fabric performance of Dakin Cottage.
- 4.42** The extension would also bring back into beneficial use the attached outbuilding and reverse the intrusive WC in the C19 extension.

Impact on the Setting

- 4.43** When assessing impact on the setting, it is important to note that ‘setting’ itself is not a heritage asset, and is instead defined in the NPPF as:
- ‘The surroundings in which a heritage asset is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive or negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral.’*
- 4.44** A change to the setting of a heritage asset is not therefore automatically harmful. The impact of any such change should be assessed in respect of its effect on the experienced significance of the heritage asset, having regard for the historic context and evolution of the property. It is therefore appreciated that there

will be some change to the setting of the Listed Building, but this will not necessarily be harmful. Indeed, the sensitive design, the siting of the extension and its modest scale, ensures that it is mostly hidden from public views at Waterswallows Road. It will not dominate or detract from an understanding and appreciation of the historic building, or the setting of the conservation area.

4.45 Dakin Cottage has lost its stables but the listed garden walls which form part of the setting of Dakin Cottage remain in situ. The significance of the garden walls can still be experienced, with the erection of the extension having no negative impact.

4.46 It is therefore opined that the proposed extension would have negligible impact on the historic significance of Dakin Cottage overall.

Public Benefit

4.47 Paragraph 215 of the NPPF states that:

'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.'

4.48 Paragraph 020 of the Planning Policy Guidance further sets out that:

'Public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described in the National Planning Policy Framework (paragraph 8). Public benefits should flow from the proposed development. They should be of a nature or scale to be of benefit to the public at large and not just be a private benefit. However, benefits do not always have to be visible or accessible to the public in order to be genuine public benefits, for example, works to a listed private dwelling which secure its future as a designated heritage asset could be a public benefit.'

Examples of heritage benefits may include:

- *sustaining or enhancing the significance of a heritage asset and the contribution of its setting*
- *reducing or removing risks to a heritage asset*
- *securing the optimum viable use of a heritage asset in support of its long term conservation'*

- 4.49 Paragraph 002 of the Planning Practice Guidance also provides additional guidance regarding the thoughtful approach required to ensure the active use of heritage assets:

'Conservation is an active process of maintenance and managing change. It requires a flexible and thoughtful approach to get the best out of assets as diverse as listed buildings in everyday use and as yet undiscovered, undesignated buried remains of archaeological interest. In the case of buildings, generally the risks of neglect and decay of heritage assets are best addressed through ensuring that they remain in active use that is consistent with their conservation. Ensuring such heritage assets remain used and valued is likely to require sympathetic changes to be made from time to time... Part of the public value of heritage assets is the contribution that they can make to understanding and interpreting our past.'

- 4.50 In consideration of the relevant national policy and guidance, contrary to the reason for refusal, it is set out that the proposed extension does hold some public benefit. As well as the visual improvements from the proposed removal of the soil pipe and the technical and visual benefits from repointing, the extension will enable the project to be lived in and heated more efficiently. In this respect, appeal ref: APP/P1045/W/24/3343210 sets out that improvements to energy efficiency are viewed as a public benefit *'both in terms of their contribution to reducing energy consumption and also by the way they would mean the dwelling was better equipped for future usage'* (Appendix E).
- 4.51 The proposals will provide an additional open plan living space which will allow the property to be adapted to C21 living, without more intrusive adaptations to the historic fabric. This in turn would make the house more attractive for investment and conservation over the longer term. In this respect, the extension affords a direct connection to the garden through desirable inside – outside living. Achieving this via the method proposed is less harmful than alterations to the heritage asset itself; and has amenity and well-being benefits.
- 4.52 The works proposed will bring into beneficial use the outbuilding, which is currently underutilised, thus helping to conserve and maintain the particular part of the historic building. The proposal will also see the reversal of the intrusive WC partition in the C19 extension, through appropriate relocation of the WC to the proposed enclosure of the attached outbuilding, thus actively making beneficial use of living space provided by that C19 intervention.

- 4.53 The proposed scheme therefore maintains the optimum viable use of the building as a residential dwelling into the future, thus sustaining its significance for the benefit of this and future generations.

Summary

- 4.54 High Peak Borough Council's assessment fails to acknowledge the public benefits set out above. It is our view that there are clear public benefits deriving from the proposal. Whilst public benefits are harder to define for private dwellings, if it is to be assessed that no public benefits arise from development to private listed dwellings, Paragraph 215 of the NPPF would (contrary to its core principle) lean towards a presumption in favour of no development. Given the negligible harm and general reversibility of the development, it is considered the benefits outweigh the harm, therefore, meets the test set out in Paragraph 215 of the NPPF

5 Conclusions

- 5.1 It is presented in this Statement of Case that the proposed extension will conserve the significance, therefore heritage interest of Dakin Cottage, through specialist conservation design. Here, it is argued that the siting, scale, size and design of the proposed contemporary, single storey extension has been sensitively considered. This ensures that contrary to the Council's reason for refusal, the extension is both subordinate, yet appropriately proportional to the host dwelling and has minimal impact on the visual character and significance of the Listed Building and setting of the Conservation Area. This aligns with both Policy EQ6 of the High Peak Local Plan and the Design Guide.
- 5.2 The proposals impart design integrity by not emulating the style of the existing dwelling yet provide an honest extension in recognition of (but informed by) the evolution of the building. This is consistent with guidance set out in the High Peak's Design Guide.
- 5.3 In accordance with Policy EQ7 of the Local Plan, the proposed design is sympathetic to and minimises harm to the heritage asset. The policy does not require there to be 'zero harm'. Any negligible harm to conserve its optimum viable use is justified by being outweighed by public benefit. It is therefore concluded to pass the test established in Paragraph 215 of the NPPF.
- 5.4 Paragraph 210 of the NPPF also states that local planning authorities should '*take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation*'. The removal of the soil pipe and repointing will enhance the building, the new layout will make beneficial use of the outbuilding and C19 extension, and the extension will facilitate the sustainable, optimum viable use of the property over the longer term. These benefits should clearly be given weight in the planning balance.
- 5.5 Paragraph 167 of the NPPF sets out that 'significant weight' should be given to the need to support energy efficiency and low carbon heating improvements in existing buildings. Policies in Chapter 16 of the NPPF should also be applied in heritage contexts, which as demonstrated above, have been satisfied. Significant weight to the sustainability benefits of the proposed scheme should therefore be applied.
- 5.6 The reason for refusal set out in the Decision Notice is, overall, deemed to be unsubstantiated. The proposal is policy compliant; therefore, it is requested that the appeal is allowed.



Planning & Design Practice Ltd

www.planningdesign.co.uk
info@planningdesign.co.uk
Tel: 01332 347371

Derby

3 Woburn House
Vernon Gate
Derby
Derbyshire
DE1 1UL

Matlock

Cromford Creative
Cromford Mills
Mill Lane, Cromford
Matlock
DE4 3RQ

Macclesfield

Waters Green House
Waters Green
Macclesfield
Cheshire
SK11 6LF

Sheffield

32 Gilbert Street,
Park Hill,
Sheffield
S2 5QY