

August 2025

Final Comments

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

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1 Introduction

- 1.1 On behalf of Mr Antony Atkinson and Mrs Tiffany Atkinson (the 'Appellants'), Planning & Design Practice Ltd have prepared final comments in relation to appeal ref: APP/H1033/Y/25/3368683 concerning application refs: HPK/2024/0323 and HPK/2024/0324 previously refused by High Peak Borough Council.
- 1.2 The final comments submitted respond directly to High Peak Borough Council's Statement of Case and should be read in conjunction with the Appellant's Statement of Case already submitted.

2 Final Comments

2.1 For ease, these final comments address each matter raised by the Council in turn below.

The proposed extension would obstruct the original architectural details

- 2.2 The revised plans submitted to the Council (P.1104 S4-P06 West Elevation Proposed) clearly show a sympathetic juncture to the west elevation, where the extension has been set back to ensure the quoins remain externally exposed. This revision was specifically made in response to the Council's concerns, as documented in the Design and Access Statement Fourth Issue (page 12) which states: "We have considered the sentiment of the Officer's comment and amended the design. This design retains the quoins of the listed building as externally exposed and has had the effect of reducing the amount of the extension's roof over the west elevation."
- 2.3 Furthermore, the elevations of the proposed extension comprise substantial glazing which facilitates visual permeability when viewing Dakin Cottage from the courtyard or internally from the new extension. This design choice deliberately maintains the visual connection to the historic fabric.
- 2.4 The Heritage Statement prepared by Jenny Wetton Conservation (a qualified heritage professional) explicitly identifies the north gable as "the least important in a hierarchy of elevations" and "much altered," making it the most appropriate location for an extension. The Council has not provided any expert heritage assessment to contradict this professional evaluation. Furthermore, the Council acknowledged on October 16th, "We accept the principle of the extension in its current location". Nonetheless, the areas of highest historic significance will be retained and enhanced through the proposed conservation repairs, to which the Council holds no objection.
- 2.5 The Council's continued assertion that the extension would obstruct original architectural details is therefore demonstrably incorrect and fails to acknowledge the specific design revisions made to address this concern.

The proposals disregard the proportions of the host building and reduce the legibility of the 1878 phase

- 2.6 The Council claims in paragraph 7.05 of their Statement of Case that the extension "disregards the proportions of the host building, resulting in a dominant and visually conflicting extension" and in paragraph 8.02 states that it "creates a dominating appearance, dwarfing the 1878 phase of the listed building."
- 2.7 In response, it is first highlighted that the Council's claim that the extension would "dwarf" the 1878 phase is not supported by any objective assessment. The extension is single-storey with a low-profile roof, deliberately designed to be subordinate to the two-storey main dwelling. The gross internal floor area of the extension (33sqm) represents only 12.45% of the existing building's floor area (c. 265sqm). This modest increase cannot reasonably be characterized as "dwarfing" the existing structure.
- 2.8 It is appreciated that the proposed extension would project forward of the west elevation. However, in contrast to the Council's assessment, the extent of this projection is relatively minor and would not be visible from the principal elevation of the dwelling (southern elevation), nor would it extrude to a level that would dominate the courtyard space. As documented in the Heritage Statement and elaborated in the Statement of Case, the evolution of this building type typically followed a pattern from 'I' shaped Hall, to 'T' or 'L' to an 'H' plan. The proposed extension follows this logical historical pattern of development, reinforcing rather than diminishing the legibility of the building's evolution. The Council has not provided any expert heritage assessment to contradict this analysis of vernacular building evolution.
- 2.9 Projecting the extension forward on the west elevation maximizes exposure to natural sunlight, which is particularly beneficial given the predominantly shaded conditions caused by the tree canopy and the north-facing orientation. The chosen siting, combined with extensive glazing, enhances the thermal efficiency of the extension by optimizing passive solar gain.
- 2.10 The Council claims in paragraph 8.04 that the extension would "clearly be visible projecting above the listed garden wall and obstruct view of the north gable." However, the photomontages provided in the Heritage Statement (pages 33-34) demonstrate that the extension would have minimal visibility from Waterswallows Road, with only the top of the roof visible. The Council has not provided any visual

evidence to contradict these photomontages. The incorporation of a flat zinc roof in this instance reduces the scale of the extension overall and facilitates a recessed finish to allow views of the north gable to remain the most visible and dominant built form from Waterswallows Road. A recent assessment undertaken by the Appellant found that only 6% of the 1878 phase of the listed building would be obscured from views at Waterswallows Road by the extension.

- 2.11 The Heritage Statement prepared by Jenny Wetton Conservation specifically concluded that "The design of the proposed extension is considered to be sympathetic and to minimise harm to the heritage assets" (page 39). The Council has not provided any expert heritage assessment to contradict this professional evaluation.
- 2.12 On this basis, the Council's assertion that the proposed extension would dominate or dwarf the existing dwelling and reduce the legibility of the existing building is not supported by objective evidence, contradicts the expert heritage assessment and is respectfully rejected.

That the proposed use of Zinc as a roof material is inappropriate

- 2.13 The Council states in paragraph 7.06 of their Statement of Case that "Zinc was proposed as the roofing material, which was considered inappropriate within the setting of this listed building" and that "Zinc would add a fourth and uncharacteristic material to the listed buildings roof scape."
- 2.14 However, contemporary extensions to historic buildings often utilise materials that create a clear distinction between historic and modern elements, in line with conservation best practice. This approach is supported by the High Peak Design Guide SPD paragraph 5.6, which states that "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."
- 2.15 It is restated that there is clear precedent for the use of zinc in the local area, including planning consent HPK/2017/0208 for R.W. Percival Funeral Directors building on Heath Street, Buxton (Design and Access Statement, page 14), where the Conservation Officer's comments were: "The scheme proposes a building which will have an attractive street-frontage utilising high quality materials and an appropriate form and massing. No objection subject to good execution of details and no watering down of materials." The

Council has not addressed this precedent in their Statement of Case and fail to justify the inconsistent approach to assessment.

- 2.16 The zinc material has been carefully selected in a colour (VMZINC Pigmento grey) that harmonises with the weathered stone slates, quoins, and stonework of Dakin Cottage, as demonstrated by the physical sample overlay shown in the Design and Access Statement (page 17). The Council has not provided any visual evidence to contradict this demonstrated compatibility,
- 2.17 The Council's suggested alternative of a glazed roof would be inappropriate in this case as it would create maintenance issues due to the proximity of mature trees. A glazed roof would also allow direct views into the extension from Waterswallows Road and compromise occupier amenity.
- 2.18 The Council's objection to zinc as a roofing material is therefore inconsistent with their own design guidance, contradicts local precedent, and fails to consider the practical amenity issues of their suggested alternative.

That the energy efficiency improvements do not constitute a public benefit

- 2.19 The Council states in paragraph 7.08 of their Statement of Case that they were "unable to identify any public benefits to outweigh harm caused" and in paragraph 8.05 claims that energy efficiency improvements "cannot be considered as a benefit for the public at large."
- 2.20 It is firstly highlighted that the Council does not explicitly contest the proposed public benefit of the removal of the soil pipe and the technical and visual benefits from the repointing of the building but do dismiss the conservation repairs as "general property maintenance" in paragraph 7.08. However, the repointing of historic walls with lime mortar (replacing inappropriate cement pointing), replacing a collapsing lintel and repairs to kneelers and coping stones represent specialized conservation work that goes beyond routine maintenance and will enhance the significance and ensure the long-term conservation of the heritage asset.
- 2.21 The Council also argues that the energy efficiency benefits are private benefits as opposed to a wider public benefit. In response, it is reiterated that the extension is to facilitate kitchen/living space, which the occupiers will spend a considerable portion of their time. As this section of the house would be capable

of being heated more efficiently by virtue of its modern build and adherence to current building regulations, the extension could serve to reduce the total energy consumption of Dakin Cottage, to make the building overall more thermal efficient.

- 2.22** This does have a wider public benefit when considering the push for sustainable development within the context of High Peak's declared Climate Emergency, as it would contribute to wider efforts relating to reducing energy consumption and achieving carbon neutral status across the authority. The energy efficiency improvements proposed directly support this council priority, creating a wider public benefit through contribution to climate change mitigation. This is especially relevant as historic buildings are amongst the most energy inefficient building stock in the country. Therefore, whilst the public benefit may be small, it nevertheless exists via its contribution to the drive for sustainable development. This argument aligns with the position taken in appeal ref: APP/P1045/W/24/3343210 (White House, Church Road, Churchtown, Darley Dale), where it is explicitly recognised that energy efficiency improvements constitute 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". This recent appeal decision provides a clear precedent directly applicable to this case and reflects a recurring interpretation of what constitutes 'public benefit' within case law.
- 2.23** Furthermore, Paragraph 167 of the NPPF explicitly states that "local planning authorities should also give significant weight to the need to support energy efficiency and low carbon heating improvements to existing buildings." This policy direction clearly establishes energy efficiency as a public benefit that should be given significant weight.
- 2.24** Paragraph 020 of the Planning Practice Guidance also explicitly states that "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." The Council's assertion that benefits must be "for the public at large" misinterprets this guidance.
- 2.25** Separately, the proposals would secure the long term optimum viable use of Dakin Cottage as a dwelling, as it would enable the property to function as a family home and ensuring it remains an attractive property for investment and conservation into the future. Therefore, as supported by the guidance, the proposed development provides public benefit through its securing of the optimum viable use of Dakin Cottage.

2.26 The Council's failure to recognise these public benefits contradicts evidenced case law, Council planning and climate priorities as well as broader NPPF policies and NPP guidance.

Additional Considerations

2.27 On review of the Council's position, a series of inconsistencies undermining their case are set out below:

- The Council cites the High Peak Design Guide SPD when convenient but ignores paragraph 5.6 which explicitly supports contemporary extensions with different materials.
- The Council has previously approved the use of zinc in other heritage contexts (HPK/2017/0208) but now objects to its use without explaining this inconsistency.
- The Council has declared a climate emergency but dismisses energy efficiency improvements as having no public benefit.

2.28 Finally, it is highlighted that the proposed extension has been specifically designed to be reversible, in accordance with best conservation practice. This means that future generations could remove the extension without permanent harm to the historic fabric, further mitigating any potential impact on the significance of the listed building.

Summary

2.29 In view of the final comments provided, it is maintained that the proposals align with relevant local and national policies for the following reasons:

- The revised design specifically preserves the visibility of the quoins, directly addressing the Council's primary concern.
- The scale and massing of the extension is subordinate to the main dwelling, representing only 12.45% of the existing floor area.
- The use of zinc as a roofing material is supported by local precedent and the Council's own design guidance for contemporary extensions.
- The energy efficiency improvements and conservation repairs provide clear public benefits that outweigh the less than substantial harm identified, as supported by recent appeal decisions.

- The proposal will secure the optimum viable use of the heritage asset, ensuring its long-term conservation.

2.30 The Council's reasons for refusal are therefore unsubstantiated and contradict their own policies, precedents and design guidance. It is respectfully requested that the appeal is allowed.



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