



Appeal Decision

Site visit made on 1 May 2007

by **Dannie Onn** RIBA IHBC

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Date: 16 May 2007

Appeal Ref: APP/F1040/A/06/2025006 26 High Street, Melbourne, DE73 8DS

- 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 John Wall against the decision of South Derbyshire District Council.
- The application Ref 9/2006/0118/F, dated 22 January 2005, was refused by notice dated 27 March 2006.
- The development proposed is a new dwelling.

Summary of Decision: The appeal is dismissed.

Preliminary Matters

1. The proposed development would attach to the listed building and require demolition of buildings within its curtilage. I have dealt with the appeal on the basis that it is for planning permission only. Any requirement for listed building consent should be considered by the Council in the first instance.
2. In 2005 the Council granted permission, subject to conditions, for a new dwelling at the appeal site. That dwelling would be similar to the development now proposed but with a room over the drive and a consequently higher roof at that part. With uncertainty regarding listed building consent, the permitted scheme cannot attract full weight as a fall-back available to the appellant.

Main Issue

3. The main issue in this case is the effect of the proposed development on the character of the listed building and its setting and on the character and appearance of the Melbourne Conservation Area.

Reasons

4. No 26 is a listed house and shop dating from the early 19th century. The attached motor repair garage incorporates older stone outbuildings on the site and is a shallow pitched structure of modern construction.
 5. The Conservation Area includes the historic core of the town, where traditional buildings from several centuries line the sloping, curving streets. At its heart, the triangular Market Place is formed by almost unbroken façades where three streets meet. The appeal site is prominent within the Conservation Area at the edge of the Market Place. The modern garage building currently detracts from the character and appearance of the area and the setting of the listed building.
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6. The proposed new dwelling would replace the unattractive garage building on the site. A simple pitched roof would attach to No 26 above a driveway, which would lead to garaging, car turning space and gardens for both properties. The principle of residential development is not in dispute and the proposed house would use a style and materials generally consistent with the existing building and the character and appearance of the Conservation Area.
7. Nevertheless, the mock Georgian style would imitate rather than complement the varied architectural character of the town and give a false historical impression of its development. Paragraph 4.17 of Planning Policy Guidance note 15: *Planning and the Historic Environment* (PPG15) suggests that sites which detract from the character and appearance of the area should be a stimulus to imaginative, high quality design. That would not be the case here.
8. In principle, attaching to the listed building would reinforce its setting and the townscape as a whole. However, in terms of the link proposed in this case, there would be no meaningful accommodation and the façades of the buildings would not be continuous. The link roof would be a weak architectural element in the overall composition of the listed building and the townscape.
9. For these reasons, I consider that the proposed development would be harmful to both the character and setting of the listed building and the character and appearance of the Conservation Area, which would not therefore be preserved. That would be contrary to Environment Policies 12 and 13 of the South Derbyshire Local Plan, Environment Policies 9 and 10 of the Derby and Derbyshire Joint Structure Plan and the advice of PPG15.

Conclusions and Formal Decision

10. The benefits of the proposals do not outweigh the harm I have found. For these reasons and having regard to all other matters raised, I conclude that the appeal should not succeed and I dismiss the appeal.

Dannie Onn

INSPECTOR