
PLANNING APPEALS MONTHLY REPORT (A.1536/BT)

1. APPEALS LODGED

The following appeals have been lodged during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Committee/ Delegated</u>
NP/DDD/0225/0121 3367411	Proposed single storey lean-to extension to rear of a dwelling The Old Barn, Main Road, Flagg	Householder	Delegated
NP/DDD/0125/0048 3367521	Lawful Development Certificate for a proposed use - Siting of caravan to provide additional accommodation for family of homeowners Welyarde, 13 Sherwood Road, Tideswell	Written Representation	Delegated

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

<u>Reference</u>	<u>Details</u>	<u>Method of Appeal</u>	<u>Decision</u>	<u>Committee/ Delegated</u>
NP/DDD/0324/0308 3355186	Change of use to a mixed use development for Café / Retail/ Office / Accommodation and Workshop and incorporation of part of the floorspace into neighbouring dwelling at The Plough Inn, Flagg.	Written Representation	Allowed	Delegated

The main issues relevant to this appeal are: whether the loss of the existing community facility would be appropriate with regard to local policies; the effect of the proposal upon the character and appearance of the area; and whether there are material considerations that indicate that a decision should be made other than in accordance with the development plan.

The proposal sought to retain part of the building as a café and shop and thus part of the building would remain as a community facility. However, a considerable proportion of the building would be converted to a workshop as well as worker/holiday let accommodation and part of the building would be converted and subsumed into the existing house that forms part of the wider building. Consequently, evidence of reasonable attempts to sell or let the community facility needs to be provided.

On this matter the Inspector was clear that it had not been demonstrated that reasonable attempts to sell or let the community facility as an ongoing concern has been undertaken and thus the loss of the community facility would not be appropriate with regard to local policies. Consequently, the development would conflict with Policies DMS2 and HC4 of the LP for the reasons given above.

The building tradition of the area highlights limestone buildings with stone lintels that generally have blank end gables and have a high solid-to-void ratio. However, in this case earlier changes meant that larger windows and French doors were already present. The proposals therefore presented a balanced approach that retained some openings, changed another to a door, retaining lintel details and removing other openings, while removing some of the Davy block finish and replacing with a wet dash render.

So while some features departed from the local character that Inspector concluded that, when viewed as a whole the proposed changes would make limited alterations to the vernacular of the building and its overall character would generally be retained.

The scheme would also retain the dry-limestone walls around the site. Therefore overall, the proposal would generally retain and reuse features that positively contribute towards the significance of the building. Consequently, the proposal would conserve the valued vernacular of the building and thus conserve the landscape and scenic beauty in the National Park.

In considering these matters closely and concluding no harm, the Inspector then states that they have met the requirement on them to further the statutory purposes of the National Park.

The Inspector then also considers the material benefits of the scheme in delivering the proposed café and shop, along with short- and long-term economic benefits, including job creation. Given that the building had not provided a community facility for a significant period of time, the Inspector attributed considerable weight to the benefits the proposed community facilities would provide to the area.

The proposal would also secure a workshop use under Use Class B22 within part of the building which would provide services as well as short- and long-term economic benefits.

In conclusion the Inspector found that the development would only partly conflict with Policies DMS2 and HC4 of the LP and would accord with other parts of them. The proposal would also secure a shop and café which are community facilities that would partially replace the community facility lost by this proposal and the policies do support schemes that seek to provide community facilities as part of a mixed-use scheme.

So while the proposal was found to conflict with relevant development plan policies, the material considerations, in this instance, indicated to the Inspector that a decision could be made other than in accordance with it.

The appeal was allowed.

NP/GDO/0424/0422 3356859	GDO Notification - Agricultural building to store hay, straw and machinery at Pictor Farm, Wardlow.	Written Representation	Allowed	Delegated
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The main issue relevant to this appeal is whether prior approval should be given for the siting, design and external appearance of the building, including the effect of the proposal upon the CA, the Non-Designated Heritage Asset and the Peak District National Park.

The Wardlow Conservation Area Written Statement identifies that the significance of the area

comes partly from the fossilized medieval field system around the CA, and this relates to fields separated by low-level drystone walls that generally extend out from Main Road and are relatively narrow. The Authority identifies that the fossilized medieval fields around Wardlow are Non-Designated Heritage Assets (NDHA).

With the buildings generally located closer to the roadside, these fields then extend out beyond them and the undulating landscape is visible from the road and these fields form part of the rural, agricultural character of the area. The trees in and around the village also form a prominent feature of the area. The form of these fields as well as the uses that take place within them positively contribute towards the rural, agricultural character and appearance of the CA. There is a mix of buildings within the CA with many typically built from limestone with blue slate roofs and these are generally set back from the roadside, with open frontages identified as an important aspect of the CA.

The proposed building would be sited behind an existing agricultural building. This building, as well as the others associated with Pictor Farm are located between the low-level drystone walls either side of the wider farmstead.

As a result, the Inspector considered that the siting of a building in this location would preserve the form of the fossilized medieval field system, which contributes to the significance of the CA, and would not harm the form of the NDHA. Furthermore, the building is proposed to be used for agricultural purposes which would be an appropriate use within the CA and would positively complement the rural, agricultural character of the area.

While the building would be more utilitarian in design than the limestone buildings along Main Road, the building would be of a similar scale and character to others in the locality. The scheme would incorporate a blue-slate profile-sheeted roof which would be sympathetic to the blue slate roofs found elsewhere in the CA. Rooflights within the larger agricultural buildings on the wider appeal site and in the CA are not uncommon and thus the use of them in this instance would not appear out of character.

It was also noted landscaping, in the form of additional tree planting, was proposed and this would partly screen the development from further afield and enhance the appearance of the wider site. This tree planting would enhance a prominent feature of the area when viewed in the surrounding landscape. It was considered that a revised landscaping plan would be necessary and could be secured via a condition. As a result, the wide view identified in the CA Statement would be preserved by the scheme.

On the basis that the Inspector had closely considered matters of harm and character they also stated that they had had sufficient regard to the duty on public bodies (including PINS) to further the statutory purposes of the National Park.

On the basis the appeal was allowed.

NP/DDD/0724/0684 3356834	Proposed re-use of garage/store as a mixed use building with flexible space that can be purposed for residential and business use at garage / store land to the rear of the former RBS, Main Road, Hathersage.	Written Representation	Dismissed	Committee
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The main issues were: the effect of the proposed development on the character and appearance of the area, affording special attention to the Hathersage Conservation Area (the HCA); whether

the proposed development is required to achieve the conservation or enhancement of Hathersage as a settlement within the Peak District National Park (the National Park); and whether the proposed business use takes up opportunities for enhancement in the context of its location within the National Park.

Despite its backland position the building is well related and close to the main street in Hathersage. A building of some description had been on the site for nearly 130 years. However, numerous changes have been made to its footprint over time. The current structure is a single storey metal clad building that is used as a garage and store and is in a poor state of repair.

However, its simple design, low number of windows and glazed doors, and the presence of dark painted garage doors that blend into the black metal cladding of the walls and roof make it utilitarian and light industrial in appearance. Due to this subservient appearance, and despite its poor state of repair, the existing building has a neutral effect on the character and appearance of the HCA.

The appeal building is not identified as an important unlisted structure in the Hathersage Conservation Area Appraisal (the HCAA) and there is no reference to similar buildings within the settlement. The Inspector found that the existing garage / store could not reasonably be described as a non-designated heritage asset for the purposes of this appeal.

While appearing to constitute a conversion of the existing building, only the very basic structure would be maintained, with most of the outer skin replaced and the building structure heavily supplemented. Significant alterations included an increase in ridge height and alterations to the slope of the roof, the replacement of the garage doors with a large amount of glazing set behind timber louvres, the introduction of glazed pedestrian doors with fixed glazing to the side and roof lights to the rear, and an extension to the side with hipped roof design.

The Inspector considered that the amount of glazing would markedly alter the simple and utilitarian appearance and character of the building. Furthermore, the proposed changes to the roof were considered to appear prominent and incongruous in its context.

Within such a prominent position, the form of the proposal, its materials and detailing were not considered to be sensitive to the defining characteristics of the local area and would be detrimental to the character and appearance of the HCA.

The Inspector did find some benefits in terms of the partial re-use of an existing building and minimising carbon emissions by utilising modern methods of construction and the use of sustainably sourced materials are benefits of the proposed development. There were also benefits associated with the proposal in terms of the creation of a combined residential and business unit with the potential to reduce travel accordingly, the contribution of an additional dwelling and business space in an accessible location towards housing and employment supply, the employment of workers during the construction phase, and the contributions that would be made to the local economy by any new residents and potential employees of the business.

However while moderate weight was attributed to these benefits they did not outweigh the harm identified.

While the building and the site had some potential for enhancing the settlement and bringing beneficial uses, the scheme as presented did not deliver the necessary enhancements. The existing building and its use as a garage and store are utilitarian in nature and serve a functional purpose. Whilst its condition and appearance could be improved, the existing structure did not detract from the overall settlement and its redevelopment was therefore not required to secure conservation and enhancement of the National Park.

As such the scheme was found to be in conflict with both adopted policies and the NPPF and was dismissed.

NP/DDD/0224/0143 3352514	Conversion of outfarm to dwelling at Hillcrest Barn, Pitts Lane, Parwich	Written Representation	Dismissed	Committee
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The main issue was the effect of the proposal on the character and appearance of the appeal building and the surrounding landscape, with particular regard to the enclosure of the site and the introduction of steps.

It was agreed that the appeal building is a non-designated heritage asset (NDHA). Its significance as a NDHA is, in part, derived from its evidential and historical value as a traditional agricultural building.

The landscape within which the appeal site is located is pastoral and characterised by, amongst other things, its gently rolling topography, and narrow strip fields bounded by hedges. The rural setting of the appeal building also contributes to its significance as a NDHA.

Due to its elevated position, the appeal building is a prominent feature within the landscape that is visible from nearby public rights of way. These factors mean that the building and its setting are particularly sensitive to change.

The Inspector considered that the introduction of a drystone wall (owing to the predominant hedgerow character), in combination with the parking and domestic paraphernalia associated with residential occupation, would result in harm to the setting of the appeal building, thereby harming its significance as a NDHA. It would also fail to conserve and enhance the landscape, scenic beauty and cultural heritage of the PDNP.

The Inspector did not feel that the extent of curtilage or the reintroduction of stone steps would be harmful and that these elements would bring some benefits.

It was acknowledged that the proposal would also provide a new, viable use for the barn, and consequently would secure the future of the NDHA. However, notwithstanding the unsuccessful attempts that have been made to find an alternative use for the appeal building in the past, the evidence was clear that the building was not at immediate risk. Furthermore, it had not been demonstrated that there were no alternative ways of achieving a reuse of the building without the harm that was identified. As such, only limited weight was given to these benefits.

Overall the Inspector found that the proposal would be harmful to the character and appearance of the appeal building, a NDHA, and the surrounding landscape of the PDNP. As such it would be in conflict with the adopted development plan and the appeal was consequently dismissed.

4. **RECOMMENDATION:**

To note the report.