

## ANNUAL REPORT ON PLANNING APPEALS 2024/2025 (A.1536//BJT)

### Purpose of Report

This report summarises the work carried out on planning appeals from 1 April 2024 to 31 March 2025.

### Information on Appeals Process

In this period, 51 new appeals were received, of which 20 were still in hand as of the 1 April 2025. During the year, 48 appeals were decided, which included some appeals that had been carried over from the previous year.

Of the 51 total new appeals received:

- 39 - followed the written representation procedure
- 11 - followed the householder appeals procedure
- 1 - followed the hearing procedure

### Outcome of Appeals

The chart below shows the outcome of appeals over the last six years. The percentage of appeals dismissed in the year 2024/25, at 60% is lower than the previous year, although the context for this is analysed in more detail below.

|           | 2024/25   | 2023/24   | 2022/23   | 2021/22   | 2020/21   | 2019/20   |
|-----------|-----------|-----------|-----------|-----------|-----------|-----------|
| DECISIONS | 48        | 31        | 27        | 49        | 40        | 40        |
| Allowed   | 19<br>40% | 11<br>35% | 11<br>41% | 12<br>24% | 14<br>35% | 15<br>37% |
| Dismissed | 29<br>60% | 20<br>65% | 16<br>59% | 37<br>76% | 26<br>65% | 25<br>63% |

### Householder Appeals

In the year to 31 March 2025, 11 new householder appeals were submitted. Of these 7 (64%) were dismissed, 2 (18%) was allowed and 2 (18%) were still ongoing.

The Householder appeal service continues to be popular as it allows for a quicker and simpler process and the opportunity for officers to use the delegated report as the essential evidence to defend the appeal. As there is no opportunity to provide additional information in householder appeals, this ensures that the Inspector always has the policy background clearly set out and can easily understand why in the National Park there is a greater need to conserve and enhance the special qualities of the place. The national average for householder appeals allowed (according to the figures from the Planning Inspectorate up to the end of March 2024) for 2023/24 was 36%. To date no problems have occurred with the processing of appeals electronically.

Of the 19 appeals allowed during this period, 13 (68%) were dealt with by written representations, 4 (21%) by the householder procedure and 2 (11%) were dealt with at a hearing.

### **Delegation / Planning Committee**

Total number of planning applications received between 1 April 2024 and 31 March 2025 was 1311.

Of the 48 appeals decided:

- 36 related to applications determined under delegated powers. Of these, 21 (58%) were dismissed and 15 (42%) were allowed
- 11 appeals related to applications that were determined by Planning Committee. Of these, 7 (64%) were dismissed and 4 (36%) were allowed
- 1 appeal was for non-determination which was dismissed.

### **Appeals Allowed (Appendix 1)**

The percentage of appeals allowed in 2024/25 was higher than the previous year at 40%.

The large majority of those appeals which have been allowed, have been cases where a site-specific judgment by the Inspector has been different from that of the Authority, typically on matters of design or degrees of harm weighed in the planning balance. There have been a small number of appeals during the last year which have raised wider policy issues or which the National Park Authority felt compelled to write to PINS to highlight the need to further National Park purposes. Overall the low number of appeals raising issues is welcome and shows that the Planning Inspectorate is generally supporting the Authority's decisions and its policies. Indeed, later appeal decisions have demonstrated greater observance of the legal duty to further National Park purposes. Examples have been highlighted in the monthly appeals report for July.

### **Appeals raising policy issues**

3 decisions have raised issues with respect to our policies providing exceptional scope for permanent holiday structures, (e.g. camping pods):

**Rocking Stone Farm, Birchover** – This case was a retrospective application for the installation of a holiday let cabin on a raised platform, plus a composting toilet, a covered kitchen area and a raised platform housing a Japanese hot tub. All of these separate structures were built into the natural rock features at Eagle Tor. A case was made that policy allowed for "wooden structures" and allowed all of the separate features despite the intent of policy which intended this term to refer specifically to a small simple camping pod. The Inspector assessed the scheme on the basis of the overall visibility and potential for harm to the wider scenic beauty of the area and considered the scheme to be acceptable.

**Top Riley, Riley Lane, Eyam** – This case involved the change of use from a domestic garden to a camping pod site accommodating 8 camping pods. The site raised issues of the nature of the site and the size and form of the structures. While not technically within a wood the site was well screened on 3 sides so had very limited visibility in the wider landscape. A more significant debate was raised regarding the definition of "small and simple" with respect to the camping pods. Strategic policies resist chalet and static accommodation as these larger permanent structures are more likely to be difficult to integrate within the scenic qualities of the National Park. As such, and by exception policy provides scope for small, simple pods in

wooded locations. The original proposal offered a larger form of pod which had separate bedrooms, kitchen, toilet and shower facilities, akin to a chalet or static provision. However, on appeal the larger pods were approved on the basis of limited landscape harm and to provide convenience to the campers.

**Land to west of Edale Road, Barber Booth, Edale** – This application sought seasonal use of land for eco-camping, siting of 3no. bell tents and amenity facilities along with associated access, parking and landscaping with associated ecological enhancements and conservation. This site presented a more open site on the side of the sensitive Edale Valley. Rather than applying the strict policy principle in this case the Inspector looked at the localised potential for landscape harm and considered it to be low. Allied to this the Inspector felt the seasonal nature of the scheme would reduce the scope for harm. The scheme also proposed a range of ecological benefits. These wider material considerations allowed the Inspector to weigh this scheme favourably in the planning balance.

**Marquis of Granby, Hope Valley** – This is a long-standing vacant site following planning permission being granted for a hotel in 2009. Since that time a new proposal emerged for a more modern-styled open market residential scheme. Following negotiation, the scheme also incorporated a small terrace of 3 affordable homes. Nevertheless, the design and scale of the scheme was viewed as incongruous with the countryside setting, being sited outwith the core of Bamford village on the roadside location historically held by the Marquis of Granby hotel. Despite the need for affordable homes in the area the offer of these homes did not outweigh the harm identified by the design, scale, materials and form of the proposal which was viewed as being of urban styling rather than something that would sit comfortably with the landscape setting of the Hope Valley.

**Cressbrook Hall, Cressbrook** – This case highlighted the challenges of balancing our commitment to landscape and heritage with the global concerns raised by climate change. The scheme was for the erection of a ground mounted solar array but key the issues was its location in the close setting of the Grade II listed building. While policies don't rule out renewable energy in such cases the siting and design detailing is key to a successful heritage-led scheme. In the case the Inspector accepted that the development would result in harm to the landscape and harm to the setting of the listed building but considered that this should be balanced against and was outweighed by the benefits of carbon reductions.

## Human Rights

The appeals procedure is consistent with human rights legislation.

## RECOMMENDATION:

That the report be noted.

**Background Papers (not previously published) - None**

## Appendices

Appendix 1 – List of Appeals Allowed 2024/2025

## Report Author, Job Title and Publication Date

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