
10. **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>
6010026 Enforcement notice 23/0050	The making of a material change of use of the Land from agricultural use to an amenity / leisure use and for the storage of caravans. Crisplings Field, Off Meadow Lane, 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 **APPEALS WITHDRAWN**

There have been no appeals withdrawn during this month.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>
Enforcement notice 23/0036 3372929	Enforcement notice appeal - The creation of an area of hardstanding and the widening of a means of access to a highway comprising the removal of a section of drystone wall and the erection of gates and gate posts Greenfields Christmas Trees Ltd, Land adjacent A621 Owler Bar, Holmesfield	Written representation	Dismissed	Delegated

This appeal was made on several grounds, all of which were dismissed and the enforcement notice upheld except for a minor correction.

The grounds considered by the inspector included:

Ground A – the material planning issues (highways and impact on landscape character);

Ground C – whether some of the works would be permitted development;

Ground F – Whether the stated remediation requirements are necessary; and

Ground G – Whether the time period for compliance with the notice was reasonable

In terms of the Ground A appeal the main issues were stated as: (a) the proposal's effect on highway safety; and (b) the proposal's effect on the character and appearance of the

area, having regard to the Peak District National Park (PDNP).

In terms of highways issues the changes to the gated access onto and from the busy roads near Owlbar (enabling access by larger vehicles) were considered to constitute a danger to highway safety and therefore brought conflict with adopted policies.

In terms of landscape character, despite the openness of the landscape the Inspector felt that materials and form of treatment to the hardstanding areas could be conditioned to improve the appearance and as such found that this element alone would not conflict with policies, however this did not outweigh the harm to highway safety hence the ground appeal failed.

Taking all the elements together the Inspector found that the appeal should be dismissed.

6004686 NP/DDD/0825/0813	Erection of storage shed at The Homestead, Main Street, Biggin	Written representation	Dismissed	Delegated
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The main issue is the effect of the proposed storage shed on the character and appearance of the host building and the surrounding landscape.

The appeal site adjoins Homestead Barn, the host building, which has recently been converted into holiday accommodation. It lies within the village of Biggin which is predominantly linear in form, centred along Main Street and contains a small number of buildings, including Homestead Barn, which are set back from the road. The landscape around Biggin is gently rolling, open pastoral farmland of small to medium sized fields bound by limestone walls. The Tissington Trail (the Trail) passes the appeal site in an elevated position, separated from it by a field.

The main parties agreed that Homestead Barn is a non-designated heritage asset (NDHA). The evidence supported this conclusion and its significance as a NDHA is, in part, derived from its evidential and historical value as a traditional agricultural building. The open agricultural setting to the rear of the host building also contributes to its significance as a NDHA.

Although the site was in use as outdoor storage and contained on three sides by limestone walls it still open in appearance and, respects the rural character of this edge of settlement location. As such it contributes positively to the character and appearance of the area.

Even though it would be constructed in materials and have a roof pitch that would be reflective of the host building, and a smaller footprint and lower height than it, given its length of 12 metres and ridge height of 5.5 metres it would be a significant structure that would fail to appear as a proportionate and subservient outbuilding. Consequently, the Inspector found the proposed storage shed would be inappropriate in the setting of the host building.

The Inspector found that while the site may be less sensitive to change due to its location next to residential properties, that is not to say that all domestic development is acceptable within the curtilage of the host building. The large building as proposed would be of a materially different nature to any lower intensity, open domestic use that was originally deemed to be appropriate. Furthermore, the large structure was found to be harmful and incongruous when viewed from the Trail.

As such the scheme conflicted with policies and the appeal was dismissed

6001806 NP/DDD/0425/0369	Application sought to vary condition No 2 of listed building consent NP/DDD/0821/090626 granted on 26 April 2022 at Leach House,	Written representation	Dismissed	Delegated
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Leadmill, Hathersage

The proposal relates to a scheme for remedial works to Leach House, including reinstating a chimney and flue and the conversion of a stables into living accommodation, approved by listed building consent NP/DDD/0821/090626 (the original consent). The original consent includes condition no.2 requiring the development to be carried out in accordance with approved plans. The current proposal sought a variation of the approved plans to amend the treatment of the floor of the stables.

Therefore, the main issue in this appeal is whether varying condition no.2 would preserve the Grade II listed building, Leach House, attached cottage and outbuilding, or any features of special architectural or historic interest which it possesses.

The Inspector found that the special interest and significance of the listed building are mainly derived from its architectural and historic interests in illustrating a complete arrangement of vernacular structures associated with a modest-sized rural establishment. Important contributors in these respects, are its use of traditional methods of construction and materials; surviving historic fabric; and restrained but pleasing vernacular form and style, including key features and detailing.

The proposed works seek to amend the design of the floor within the stables from that approved by the original consent. The approved design involved the lifting of the existing stone floor and relaying upon a new breathable sub-base, incorporating a damp and radon-proof barrier in order that the building could be used for living accommodation. In order to create a level floor for walking upon, it was proposed to carefully record and retain the existing stone floor in-situ, cover with a damp-proof and radon-proof membrane, then cover with a thin layer of screed and finally, lay a new wood floor over the screed.

The previous approved scheme had allowed for some removal and relaying of the historic floor on the basis that it was, on balance, necessary to facilitate residential use of the space without significant harmful effects on the historic character of the building. Although the stone floor would not remain in-situ, it would be visible and its historic function would remain legible.

In contrast, rather than maintaining the visibility of the floor, the proposed works would result in its entire concealment. This would seriously diminish the stables legibility as a functional and ancillary part of the listed building. Moreover, whilst the proposed works may theoretically be reversible, given that screed, layers of membranes, underfloor heating, and a wooden floor are all proposed to be laid over the stone floor, the prospect that it would be fully reversed is unlikely. Neither is there any evidence before me to demonstrate that its removal would not cause harm to historic fabric.

The Inspector did consider the benefits of the new membrane and the flooring to the applicants as a liveable space but did not have sufficient information to consider the potential for harm to the listed features and as such these did not outweigh the harms identified.

As such the appeal was dismissed

6002575 NP/SM/0325/0233	The development proposed is the change of use of land to allow the stationing of a shepherd's hut and the creation of a surfaced access track. Land south east of The Glen, Hollinsclough Rake	Written Representation	Dismissed	Committee 13 th June 2025
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The main issues were: whether the development would conserve and enhance the landscape, character and scenic beauty of the Peak District National Park (PDNP); and whether the site is an appropriate location for the siting of a hut, having regard to any relevant development plan policies on farm diversification.

The Inspector described the site area as an upland pastoral landscape with a traditional dispersed pattern of gritstone farmsteads and village settlements. Drystone walls and some hedgerows enclose permanent pasture. Whilst a relatively small site, its undeveloped and verdant character make a positive contribution to the quality of the wider surrounding area, reinforcing its scenic and natural beauty. In doing so, the site makes a positive contribution to the landscape quality of the area.

The Shepherd's Hut is visible over the stone boundary wall from various viewpoints along Hollinsclough Rake. It is screened along some sections due to the topography, however, where it is visible, these are for sustained views. It is also visible from various viewpoints along the Public Right of Way that crosses the site. Whilst this is against the backdrop of rising land for the most part, it is again, clearly visible for sustained views. As a result, the development appears as an isolated, prominent incursion in an otherwise high-quality landscape, harmfully altering the appearance of the site and eroding its open and verdant landscape character.

Furthermore, the Inspector found that it is an uncharacteristic form of development, which unacceptably detracts from the established character of the area. Its appearance may be less intrusive than white campervans, tents or touring caravans. However, these are transient in nature and therefore not permanent additions to the landscape. On this basis, they are not comparable to the Shepherd's hut.

The applicant also made a case that the development constituted farm diversification however the Inspector was not convinced as the site was separated by the lane and visitors "would need to walk up the sloped access road, cross Hollinsclough Rake and walk along the access road to The Glen. At the time of my visit, there appeared to be minimal lighting in place. On this basis, sharing facilities would be impractical, particularly if guests arrive in darkness. This has resulted in the creation of a new parking area and small structure to provide a toilet at the site, which adds to the visual impact of the development."

As such the Inspector concluded that the site is not an appropriate location for the siting of a Shepherd's Hut. The development conflicts with Core Strategy Policy RT3, and the aims of Local Plan policies DMR1 and DME2, which, amongst other things, collectively seek to limit development of tourism accommodation to sites which support farm diversification and protect the landscape.

As such the appeal was dismissed

NP/DIS/1224/1399 3367299	Redevelopment of the Marquis of Granby to 35 x 2-bed apartments, 9 x 1-bed apartments, 3 x single rooms, with restaurant, bar, meeting room, leisure and service functions within a hotel; creation of new vehicular and pedestrian access at Marquis of Granby, Bamford.	Written Representation	Dismissed	Delegated
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This application relates to the discharge of condition 4 pursuant to planning approval granted in 2017. **The Inspector found the main issues to be; whether the submitted details fall within the scope of Condition 4; and whether the proposed changes would be acceptable in**

planning terms.

On the first point the Inspector found that the intent of the condition was to control the type of bedrooms. However, the applicant had used the discharge process to seek approval for a significant replanning of the layout. The Inspector found this went beyond the scope of the condition and as such states that “It follows that in my view the submitted plans cannot lawfully be approved under that condition.”

On the second point the Inspector found that the changes would not harm the intent of the permission and there was no reason why the changes would not be acceptable in planning terms. However, this did not overcome the problem encountered on the first point as such the issues were procedural rather than matters of planning merits.

Nevertheless, on this basis the appeal was dismissed.

NP/SM/0425/0420 6001246	The development proposed is the erection of an agricultural building with associated landscaping works at Dove Head Farm, Buxton Road, Flash.	Written representation	Dismissed	Delegated
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The main issue is the effect of the proposal on the character and appearance of the landscape of the Peak District National Park.

The A53 bisects the land holding, with the majority of usable grazing land located to the east on more gently sloping terrain. The appeal site reads as part of a vast expanse of open land, largely free from built development and substantive vegetation or tree belts. The appeal site’s landscape qualities in terms of its role and function in the locality contribute in a positive way to the natural beauty and cultural heritage of the National Park.

The Inspector found that from close and mid-range views the site is clearly separated both physically and visually from the established group of buildings. The introduction of a new agricultural structure in this location would therefore extend development beyond the defined farmstead into an area presently perceived as undeveloped. In these circumstances, the proposal would appear as an isolated encroachment into the countryside and would have a high level of visibility.

The Inspector considered whether an enhanced landscaping scheme would help to mitigate the harm that would be caused to landscape but felt this could not be achieved owing to the prominence of the building. Moreover, the National Park Authority contended that less harmful alternative locations exist within the western farmyard, and the Inspector concurred with this view. However, no specific, feasible or evidenced alternative had been identified that would overcome the operational and safety issues arising from the need to move livestock across the A53, or whether an amended design could provide a less harmful solution.

As such the appeal was dismissed

4. RECOMMENDATION:

To note the report.