12. PLANNING APPEALS MONTHLY REPORT (A.1536/BT)

1. APPEALS LODGED

No appeals have been lodged during this month.

2. APPEALS WITHDRAWN

There have been no appeals withdrawn during this month.

3. APPEALS DECIDED

The following appeals have been decided during this month.

Reference	Details	Method of Appeal	Decision	Committee/ Delegated
6002576 NP/DDD/0725/0747	Two storey extension to the rear/east elevation of former restricted use property (Chequers Inn staff accommodation) on the footprint of the allowed single storey extension The Stables, Froggatt	Written Representation	Dismissed	Delegated

The main issue was the effect of the proposal on the character and appearance of the host building and on the setting and significance of the Chequers Inn a grade II listed building

The Inspector noted that a similar proposal was refused planning permission by the National Park Authority in April 2020 on grounds similar to those in this case. A subsequent appeal was dismissed.

The Chequers Inn and attached outbuildings is a grade II listed building constructed in the mid eighteenth century with later additions constructed from coursed rubble and rendered gritstone with a stone slate roof. It has three distinct sections, which are predominantly two storeys with the range to the south being lower than the rest. A small single story range lies to the north of the pub, but all are attached and those to the north and south of the pub listed for group value only.

The significance of the building lies within its surviving architectural and historic interest demonstrating the evolution of domestic architecture in the area. In addition its historic interest in relation to the use as a public house with ancillary accommodation is important. The appeal property is built of similar materials to the listed building, sharing its original narrow nature and is a simple two storey building set back from the road with a parking area to the south. Its location and similar simple design and materials facilitates an understanding of the scale of and domestic nature of the listed building and therefore contributes positively to its significance.

The proposal was for a relatively large two storey extension. Although it would be set in at both ends and would be of a height slightly lower than the roof, it would nevertheless extend across a significant portion of the rear elevation and be of a width only moderately less than that of the host building. Furthermore, it would introduce an additional pitched roof and gable. As a consequence, it would extend the existing building in a way that would harm its plain, traditional, simple character and appearance, dominating the rear elevation when viewed from the south and from the footpath to the east.

The harm to the character and appearance of the building was considered to diminish its contribution to the significance of the listed building by undermining the simple cottage character structure of the building. The Inspector felt this would dominate views from the south, where it would be visible from the road and from the footpath to the east, both eroding the relationship between it and the listed building and competing with the listed building which would harm its significance. The harm to the setting and significance of the listed building is less than substantial and at the lower end of that spectrum.

An extant planning permission for a single storey extension was acknowledged as being a material consideration. However this consent was for a lower development than that considered by the Inspector with a simple mono pitch roof, as well as being on a different footprint, being further set in from the southern elevation, rather than the central location of the current proposal. As a consequence, it integrates well with the building being subservient to it as well as the listed building and as such this existing permission was given limited weight in this appeal.

The Inspector acknowledged some benefits to the development. However, these benefits would not be sufficient to outweigh the considerable importance and weight I give to the less than substantial harm to the heritage asset. The Inspector was asked to consider whether the appeal building was curtilage listed and while there were merits for and against this the Inspector ultimately did not make a conclusion on this matter and explained that regardless of whether or not the building was curtilage listed the development would be harmful.

As such the Inspector concluded that the proposal would harm the character and appearance of the host building and the setting and significance of the Chequers, a Grade II listed building. It would therefore conflict with policies GSP3 and L3 of the Core Strategy and policies DMC3, DMC5, DMC7 and DMH7 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park 2019 (the Local Plan). Together these require that development, respects, conserves and enhances all valued characteristics of the site and buildings, conserves the significance of historic assets and their settings and respects, protects and where possible enhances the quality and visual amenity of the landscape.

An application had also been made for costs in this case against the Authority but the Inspector felt that there was no basis for such an award. While previous reports could have been clearer the key issues and reasons for decisions were sound and it was reasonable for the Authority to consider that the appeal building was curtilage listed.

Furthermore, a counter claim for costs made by the Authority was successful as the Inspector considered that had been no material change in circumstances since the previous appeal decision. There was therefore no reasonable prospect of success. This may occur when an appeal follows a recent appeal decision in respect of the same, or a very similar, development on the same, or substantially the same site and where the Secretary of State or an Inspector decides that a proposal was unacceptable and circumstances have not materially changed in the intervening period. For these reasons the Inspector found there had been unreasonable behaviour resulting in unnecessary or wasted expense, as described in the Planning Practice Guidance and that a full award of costs was justified.

4. **RECOMMENDATION:**

To note the report.