

Appeal Decision

Site visit made on 30 August 2016

by D M Young BSc (Hons) MA MRTPI MIHE

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

Decision date: 5 October 2016

Appeal Ref: APP/M9496/W/16/3152332

Swallow Cottage, Pilhough Road, Rowsley DE4 2NE.

- 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 Mr W Mitchell against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/1215/1167, dated 10 December 2015, was refused by notice dated 15 April 2016.
The development proposed is a domestic garage and store.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr W Mitchell against the Peak District National Park Authority. This application is the subject of a separate decision.

Preliminary Matters and Background

3. The appeal site has a protracted planning history and it is necessary for me to deal briefly with the events that have led to this appeal. Planning permission was granted in 2012 for the extension and alteration of the former stone garage (Ref 0212/0156). However, the garage was subsequently demolished and work commenced to erect a new larger building in its place. At the time of my visit I observed that the steelwork connected to this remains on site some of which has already been erected.
 4. To regularise the situation the Appellant submitted a planning application for the new (larger) garage. This was subsequently refused by the Authority and an appeal against that decision was dismissed on the 27 October 2015 (Ref: APP/M9496/D/15/3131600).
 5. The current scheme seeks permission for a garage of roughly the same size and footprint as the original building plus the extensions approved as part of the 2012 permission. However, like my colleague who dealt with the previous appeal, I take the position that the 2012 permission is incapable of being implemented as the original building has been demolished. Consequently I attach little weight to it. I have therefore assessed the scheme before me on the basis of a new building in light of the plans and supporting information submitted by the Appellant.
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Main Issue

6. The main issue is the effect of the development on the character and appearance of the Peak District National Park (PDNP).

Reasons

7. The appeal site is situated in the PDNP. The *National Planning Policy Framework* (the Framework) states that great weight should be given to conserving landscape and scenic beauty in National Parks which have the highest status of protection in relation to landscape and scenic beauty. At a local level these aims are reflected in Policy LC4 of the "*Peak District National Park Local Plan 2001*" (the LP) Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy¹.
8. Swallow Cottage occupies an isolated and elevated position on a north facing hillslope. The surrounding area is lightly settled and forms part of an attractive pastoral landscape. The appeal site itself is located a short distance away from Swallow Cottage and is framed by an extensive belt of woodland which would form the backdrop to the development in most views. To the north, east and west the site is bounded by sloping pasture land. These features are in keeping with the Authority's "*Landscape Character Assessment for the Derwent Valley 2009*".
9. The garage would be sited approximately 30m west of Swallow Cottage on a level parcel of land close to Pilhough Lane. According to the Authority, the L-shaped garage would have a main footprint of 15.8m x 7.2m whilst its height would be 2.7m to eaves and 6.35m to ridge. It would be faced in natural stone with a blue slate roof. An external staircase would provide access to accommodation in the roofspace.
10. I acknowledge that the scale of the building has been reduced to mirror the dimensions of the 2012 permission. However, as I have already set out, that permission is of little relevance and should not therefore be seen as representing a scale benchmark for the proposed building. According to the Authority, the current scheme is only slightly smaller than that considered by my colleague in 2015, the main difference being a reduction in the eaves and ridge heights by 0.45m and 0.85m respectively.
11. To my mind, even when taken together with the other alterations, the revised scheme would do little to ameliorate the visual impact of the building or assimilate it into the wider landscape. The plans show a substantial structure that would be physically and visually divorced from other buildings in the vicinity. Its scale would be more akin to a small commercial or agricultural building rather than a domestic outbuilding. Its bulk and mass would challenge other buildings on the site and its relationship with Swallow Cottage could not reasonably be described as subservient.
12. The building's incongruence would be exacerbated by its elevated position. I accept that the belt of woodland to the rear and trees along Pilhough Lane would soften its visual impact somewhat. However, as I saw when I visited the area, the building would be readily apparent from the woodland path to the rear of the site particularly in the winter months. It would also be prominent in

¹ Full Title: Peak District National Park Local Development Framework. Core Strategy Development Plan Document – Adopted October 2011.

views from Pilhough Lane to the north and the four-way junction where it would appear as an overbearing and isolated building that would draw the eye. I concur with the Authority that the building would also be visible in more distance views although not in a manner that could reasonably be described as prominent. Nonetheless, this adds to my overall concerns.

13. Based on the foregoing, I conclude that the development would impose a significant mass of discordant built development upon the landscape where none currently exists. It would thus have a significant adverse effect on the character and appearance of the area of the PDNP and would conflict with Policies LC4 and LH4 of the LP and Policies GSP1, GSP2, GSP3 and L1 of the Core Strategy and the Framework. Collectively these seek to ensure that development proposals secure the statutory aims of the PDNP, and respect, conserve and enhance all valued characteristics of the site and buildings with particular reference to the effect of the proposal on the character and setting of buildings, and the landscape within which they sit.

Other Matters

14. I have some sympathy for the Appellant who appears to of been unaware that planning permission should have been sought for the changes to the 2012 scheme. I can also appreciate the Appellant's desire to provide car parking and an area to house his classic motorcycle collection. However, these matters having little bearing on the planning merits of the case and do not outweigh the harmful effects I have described.

Conclusion

15. For the reasons given above I conclude that the appeal should be dismissed.

D. M. Young

Inspector