
Appeal Decision

Site visit made on 16 December 2020

by C Dillon BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2021

Appeal Ref: APP/M9496/D/20/3258914

The Stables, Froggatt Edge, Calver S32 3ZJ

- 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 S Hardwick against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0420/0348, dated 20 April 2020, was refused by notice dated 15 June 2020.
 - The development proposed is described as two storey extension to the rear/east elevation of former restricted use property (Chequers Inn staff accommodation) on footprint of the allowed single storey extension.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Mr S Hardwick against the Peak District National Park Authority. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development cited on both the planning application form and the decision notice differ from that stated on the appeal form. I have used the former for the purposes of this appeal as that is what was sought by the appellant and is also what the Authority based its decision upon.
4. The site address specified on the planning application form, decision notice and appeal form vary from one another. From the submitted evidence and my site inspection, it is clear that these all refer to the same site. I have used the address stated on the former for the purposes of this appeal, as that is what the appellant originally specified.
5. An Environmental Impact Assessment screening was undertaken and confirmed that no further assessment is required in that regard. The appeal proceeds on that basis.

Main Issue

6. This appeal has arisen subsequent to the refusal of planning permission. The heritage status of the appeal building is in contention between main parties. However, the status of the neighbouring Chequers Inn Public House as a

Grade II Listed Building is not. Given the proximity and positioning of the appeal building relative to this public house, there is no doubt that it falls within the setting of that listed building, irrespective of the ownership, use or curtilage arguments advanced.

7. In the first instance, I will examine the design of the appeal proposal and its effect on the host building. I will then examine the effect which the appeal proposal would have on the setting of that designated heritage asset.
8. Consequently, the main issue is the effect of the appeal proposal on the character and appearance of the host building, with particular regard to scale and design and the setting of the Chequers Inn, a Grade II Listed Building.

Reasons

Character and appearance

9. The appeal property forms part of a wider collection of traditional buildings which enjoy a prominent roadside position beyond the built-up framework of nearby settlements. This built-up frontage reads as a building group, not least because of the relatively continuous built form of buildings and structures, consistency in some design features and degree of separation from other buildings in the area.
10. Being located to one end of this building group, the most outward exposed gable end elevation of the appeal property and the associated outdoor area that would be built upon are particularly visible within the street scene on approach.
11. The original purpose of the appeal building is disputed by main parties. The historic photograph submitted clearly shows the original appearance of the appeal property. The small scale, linear form, informality and a simple rustic character and appearance of this building has been maintained despite more recent works to it. As such, the appeal property continues to appear servile to the Chequers Inn. These attributes mean that the appeal building makes an important contribution to the significance of the designated heritage asset.
12. The proposed extension would dominate the rear elevation of the host building by virtue of its width and height. Overall, the high solid to void ratio would be diminished through the pattern and level of fenestration proposed. The simple linear form of the original building would be compromised with the introduction of a second pitched roof and gable end. The proposed extension would be unduly prominent in terms of surrounding views. Furthermore, the treatment of the existing front door would not be sympathetic in design terms.
13. The appeal proposal would dramatically and adversely change the character and appearance of the existing building by virtue of the scale, height, width and roof design of the proposed rear extension and changes to the fenestration. These proposed changes would erode the important character and appearance of the appeal building.
14. The identified harm to the character and appearance of the appeal building would diminish the apparent visual relationship and subservience arising from its simple form and rustic character, relative to the more formal and imposing Chequers Inn which has significance in architectural and historical terms. This

harm would translate to harm to the setting of the listed building which forms part of its significance.

15. Consequently, the appeal proposal would neither conserve nor enhance that designated heritage asset. The harm to the setting of the Listed Building would be less than substantial. Nonetheless, this would represent a harmful effect, adversely affecting the significance of the Listed Building.
16. This harm must be weighed against any public benefits. No evidence has been submitted that would demonstrate that the use of the appeal building is unviable or that the proposal is necessary to secure the optimal viable use of a heritage asset.
17. The appellant has advanced that the appeal proposal being related to the provision of holiday accommodation would, in turn, provide support to the local economy. This is a benefit that I must weigh in the balance. However, the moderate weight that I can attach to it does not out-weigh the great weight that must be attached to the designated heritage asset's conservation. The appeal proposal is not clearly and convincingly justified and thus it conflicts with the National Planning Policy Framework.
18. Whether or not the appeal property falls within the scope of the listing for the Chequers Inn in its own right would not alter my findings. Consequently, even if I had made a finding on the listed status of this building, it would not have led to a different appeal outcome.
19. For these reasons, I find that the appeal proposal would have a harmful effect on the character and appearance of the host building, with particular regard to scale and design and the setting of The Chequers Inn, a Grade II Listed Building.
20. Policy GSP1 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document (October 2011) (the Core Strategy) states that where there are conflicts between desired outcomes in achieving the National Park's purposes, greater priority must be given to the conservation of matters including cultural heritage.
21. Policy DS1 of the Core Strategy supports extensions in countryside locations. Policy RT2 of that plan supports appropriate minor developments which extend or make quality improvements to existing holiday accommodation. Policy DME7 of Development Management Policies Part 2 of the Local Plan for the Peak District National Park (May 2019) (the DMP) supports the expansion of existing business where it is of a modest scale and can be accommodated without adversely affecting valued characteristics of the area.
22. Policy DMH7 of the DMP requires that extensions do not detract from the character and appearance of the original building, dominate it or create an adverse effect on a valued characteristic.
23. Policy L1 of the Core Strategy and Policy DMC3 of the DMP require all development conserves or enhances the valued landscape character of the National Park and requires a high standard of detailed design. Particular attention should be paid to siting, scale and form.

24. Policy GSP3 of the Core Strategy requires amongst other things that development conserves the setting of buildings. Policy L3 of the Core Strategy and Policy DMC5 of the DMP require development conserves and where appropriate enhances heritage assets. Development will not be permitted where it is likely to cause harm to the significance of a heritage asset or its setting. Policy DMC7 of the DMP states that development will not be permitted where it would directly or indirectly lead to an inappropriate impact on the setting of a Listed Building, unless the effect is less than substantial and is off-set by public benefit from making the changes, including enabling optimum viable use.
25. The appellant has advanced compliance with Policies DME8 and DMC10 of the DMP, however these policies fall beyond the scope of the appeal proposal.
26. Given the harm that I have identified, with the exception of Policy DS1 of the Core Strategy, the appeal proposal conflicts with these policies. These conflicts would weigh against the appeal proposal.
27. In view of the identified harm to the setting of the Chequers Inn, the appeal proposal would not preserve the setting of that designated heritage asset. This is contrary to the requirements of section 66 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. This would weigh significantly against the appeal proposal.

Other Matters

28. Whether or not the appeal property benefits from an extant planning consent for a rear extension is of only limited weight, because that development is significantly different to the appeal proposal in terms of design and scale and is therefore not a basis to draw meaningful comparisons.
29. Although I observed similar roof forms in the vicinity of the appeal site, these were not comparable as they relate to properties whose character and appearance differs significantly to the appeal proposal in terms of formality and degree of complexity that reflects their original use.

Conclusion

30. For the above reasons, I conclude that the appeal should be dismissed.

C Dillon

INSPECTOR