



Appeal Decision

Site visit made on 24 August 2021

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2021

Appeal Ref: APP/M9496/D/21/3273315

2 Club Row, Eyam, Derbyshire S32 5QJ

- 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 Dominic Hunter against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0420/0300, dated 25 March 2020, was refused by notice dated 23 October 2020.
 - The development proposed is take down outside toilet and coal house block.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in this appeal is the effect of the development on the Conservation Area (the CA).

Reasons

3. Club Row is a short row of terraced properties, which according to the evidence in front of me, were built around the turn of the 20th Century. An outbuilding that serves a pair of dwellings is replicated three times in the open yard area. The outbuildings originally housed the outside toilets for both properties and a coal store.
4. The appellant wishes to demolish his 'half' of the outbuilding for the two properties that it serves and use the reclaimed stone to seal off the remaining outbuilding. The appellant wishes to use the space created by the demolition to create a parking space, as vehicle manoeuvring and parking is extremely difficult in the immediate locality surrounding the block of terraced properties.
5. According to the CA Appraisal, the architectural quality of the village is high, and it has a tight-knit village form. It is architecturally and historically one of the most important villages in the Peak Park.
6. The outbuildings are the product of a bygone era, given their original intended use. The approach to Club Row by vehicle is somewhat awkward, and any vehicle parking for the properties is extremely fraught in terms of access and egress with outbuildings and stone walls providing a hazard to drivers.
7. However, the outbuildings are still intact, and I find they still form a major part of the overall presence of the Club Row dwellings in the CA. There is an overall symmetry that comes from the dwellings and their outbuildings. I find that the

demolition of part of one of the outbuildings will harm that symmetry and detract from the CA as a whole.

8. I note that the original application did not include a heritage statement, which was rectified at appeal stage. The Council noted this in their application report, and it also formed part of the reason for refusal. Appeal correspondence received from the Council indicate that it does not alter their findings on the proposal.
9. Paragraph 203 of the National Planning Policy Framework (the Framework) requires me to take into account the effect of an application on the significance of a non-designated heritage asset, which in this case is the outbuilding.
10. I do not agree with the Council that this constitutes total loss. It will be the loss of part of the outbuilding structure, not a total loss. Overall, there is an impact of the CA, but I find that the loss of part of the structure will affect the CA as the designated heritage asset. I find that the harm to the designated heritage asset is less than substantial. As set out in Paragraph 202 of the Framework the less than substantial harm should be weighed against the public benefits of the proposal.
11. In terms of benefits, it would create a further parking space in an area where such spaces are at a premium, but this is for the benefit of the appellant and not a significant wider public benefit although the appellant using his 'own' space would potentially clear space in the immediate locality. I also noted some minor structural damage to the outbuilding, but again removing the section of the outbuilding is for the benefit of the appellant to avoid any future maintenance issues and not a public benefit.
12. In this instance, insufficient public benefits have been forwarded that would outweigh the harm to the setting of the heritage assets and would therefore conflict with the aims and objectives of the Framework which seek to sustain and enhance the significance of heritage assets.
13. In summary, I find that the proposal is contrary to Policies GSP1, GSP3 and L3 of the Peak District National Park Core Strategy (2011) which amongst other matters, expect development to conserve and enhance the significance of heritage assets or its setting, and Policies DMC3, DMC5, DMC8, DMH8 of the Peak District National Park Development Management Policies (2019) which, when taken as a whole, expect development to not adversely affect the character and significance of a heritage asset and its setting, not result in irreversible damage to original features that contribute to the character, appearance, significance or setting, not meeting the criterion set out in DMC8(C) in terms of the Conservation Area and protect the form and appearance of the existing outbuilding.
14. In addition to this I find conflict with the heritage guidance set out in the historic environment section of the Framework in relation to the impact on designated and non-designated heritage assets.

Conclusion

15. For the reasons given, and taking into account all other matters raised, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR