
Appeal Decision

Site visit made on 19 October 2021

by M Scriven BA (Hons) MSc CMgr MCIHT MCMI

an Inspector appointed by the Secretary of State

Decision date: 28 October 2021

Appeal Ref: APP/M9496/W/21/3271933

Ballidon Moor Farm Ballidon Moor, Brassington, Matlock DE4 4HP

- 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 Mrs V Lambert against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/1120/1044, dated 9 November 2020, was refused by notice dated 15 December 2020.
 - The development proposed is the change of use to touring caravan site with 10 pitches and erection of shower/toilet block.
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Decision

1. The appeal is dismissed.

Procedural matters

2. A temporary modular building currently sits in the location of the proposed shower and toilet block, the lawfulness of which is disputed by the Council, who state that enforcement enquiries have commenced. In the absence of substantive evidence before me either way, I have taken a precautionary approach and have approached the appeal as involving a new, rather than replacement building.
3. Although not in operation at the time of my visit, I am informed by the main parties that the field is currently operating under an exempted, five-pitch, Caravan Club site licence and has done for some time. As there is no formal permanency to the current arrangement and the licence could be withdrawn at any time, I have considered the appeal on the basis of that applied for, a permanent change of use to a caravan site from an agricultural field.
4. The National Planning Policy Framework (the Framework) was revised in July 2021, after the submission of the appeal. I afforded the main parties further opportunity to comment on whether this had any bearing on the appeal. I received no further comments.

Main Issues

5. The main issues are:
 - The effect of the proposed development on the character and appearance of the Peak District National Park and;
 - the effect of the proposed development on nearby listed buildings

Reasons

Character and appearance

6. The appeal site is located within the Peak District National Park. The statutory purpose of National Parks is to conserve and enhance their natural beauty, wildlife and cultural heritage and promote opportunities for the understanding and enjoyment of the special qualities of the National Parks by the public. The Framework places great weight to conserving the landscape and scenic beauty of National Parks, albeit limited development is allowed where acceptable.
7. In my view, the surrounding largely undeveloped form, rolling, green, open pastoral fields, bound by stone walling and hedging, punctuated by mainly deciduous trees and rocky outcrops defines the wider character and appearance of the area, similarly adding to the special qualities of the scenic beauty of the National Park.
8. The appeal site itself consists of a 0.45 hectare, gradually sloping field located a short distance from a historic farmhouse and associated barns to the west. A dense belt of trees forms the backdrop to the north, with mainly low hedging to the south and stone walling to the east, albeit several mature trees do also exist along these boundaries. As such the field is characteristic of that nearby, positively contributing to the rural landscape.
9. Even during inclement weather such as the time of my visit, when approaching from the east along the main road, direct views of the field are afforded, as too from nearby rights of way. I am also informed by the Appellant that much of the surrounding land benefits from the right to roam, adding to the multitude of visual receptor points of the field.
10. The proposal would result in up to ten caravans being stationed in the field at any one time and an ancillary shower and toilet block being built. In my judgement, the siting of large vehicles, caravans and a new building in this location would cause ruinous damage to this attractive field by harmfully altering the established character of the land with unsightly structures which would appear incongruous in the agricultural setting. They would also be visually unavoidable owing to them being clearly visible in public views as a result of the lack of existing meaningful screening to the site from the south and east. This is demonstrated by the photos provided, which show the licenced caravan site in operation, its presence detracting from the surrounding scenic beauty and verdant character.
11. The proposed positioning of the intended building, in an elevated position toward the rear corner of the site, would also be visible in distant views, albeit I accept that it would be less conspicuous than the associated caravans given its proximity to other buildings. However, I similarly find that it would create an unnecessary addition of developed form in the landscape without the permanency of a change of use of the field. The absence of other intended operational development as part of the proposal, is of neutral weight rather than any form of benefit weighing in favour of it.
12. I note that the appellant intends to undertake planting to provide additional screening to the field and considers that any visual harm would be more than offset by such planting. However, I have little detail before me of the intended planting scheme beyond the indicative positioning of that which would be

planted. Even if mature specimens were planted, they would still take many years to establish. I do not share the appellant's view that this is 'missing the point'. I find that, providing adequate screening to the site would be crucial given the clear views of the field and visual harm associated with the change of use to a ten-pitch caravan site.

13. Moreover, the proposed change of use would enable year-round usage of the site and the conspicuousness of caravans in the landscape would be amplified in winter months when trees and vegetation are not in full leaf, meaning any additional screening, in keeping with that already present, would provide little meaningful mitigation. Therefore, I do not consider that a condition requiring the future agreement of landscaping and planting proposals with the Council would be appropriate in this instance.
14. For the reasons above I find that the existing harm created by the licenced arrangement would be considerably worsened by the stationing of a greater number of permanently-sited touring caravans in the field as is currently allowed. Even if the current operation was to be considered as a form of fallback, that which is currently permitted under licence is of lesser harm and as such carried little weight in my decision.
15. The proposal would in my view lead to unacceptable harmful effects on the character and appearance of the area and special qualities of the National Park. Therefore, the proposal would not accord with the Peak District Core Strategy (CS), 2011, Policy L1 and Policy DMC3 of the Development Management Policies (DMP)¹, 2019, which amongst other things seek to collectively conserve and enhance the landscape character of the National Park. Similarly, the proposal would not accord with Policy RT3 of the CS as it would not be adequately screened. Likewise, the proposal would not accord with DMP Policy DMR1 which amongst other things, seeks to ensure proposed caravan sites are located acceptably in their surroundings
16. Likewise, the proposal would be contrary to the Framework's objectives of conserving and enhancing the natural environment.

Historic Assets

17. The parties agree that the farmhouse to the west of the site and associated barns are Grade II listed historic buildings. I noted from my site visit that the attractive farmhouse is of late 18th Century origin and is dressed in limestone and sandstone, incorporating mullion windows under a pitched tiled roof, the three-storey arrangement of the building creates a prominent and valuable historic built feature in the landscape adding to its historic significance. Likewise, the grouping of barns made of similar materials and of a similar age add architectural and historic interest.
18. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 sets out that, in considering whether to grant planning permission for development which affects a listed building, or its setting, the decision maker shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. The Framework also makes clear in paragraph 199 that great

¹ Development Management Policies Part 2 of the Local Plan for the Peak District National Park, adopted 2019.

weight should be given to the conservation of designated heritage assets and their setting.

19. Notwithstanding the listing descriptions of the historic buildings provided by the Council, there is an unfortunate absence of detail before me from either party relating to whether the setting contributes to the significance of the listed buildings. In order for me to discharge my statutory duty, I have therefore considered the setting as experienced during my site visit, as explained in Annexe 2: Glossary, of the Framework relating to the terms 'setting of heritage asset' and 'significance'.
20. I have noted above the architectural qualities and age of the buildings themselves. However, I do not find these matters in isolation contribute to the significance of the heritage assets. The setting of the listed farm buildings being informed by their isolated location amongst the surrounding, undeveloped open pastures, providing a clear link to the historic farmstead's agricultural past, including the use of the appeal site as a field within what appears to be the entrance to the farm, demarked by the stone walling and cattlegrid. Thus, the setting of the buildings equally contributes to the heritage assets' significance.
21. I find that the proposal would harmfully dilute the historic buildings' prominence in views when seen from the main road and public viewpoints as they would be seen in the same context in the landscape as the intended caravan site, particularly as described in winter months. The proposed caravan site would become the dominant form in the landscape rather than the historic buildings and would, with some ease, draw the eye away from them. Furthermore, I consider the permanent change of use of the field to a caravan site would result in a linkage with the buildings' past being harmfully eroded to the siting of caravans. I note the presence of an existing bungalow and paddock between the site and the listed buildings. However, they do not break that linkage as they appear part of the farmstead rather than separate to it.
22. Furthermore, the appeal site also abuts the main access leading to the listed buildings and for the reasons above, the way in which the setting of the buildings would be experienced when accessing the farm would be harmed as the caravan site would be clearly visible on the approach.
23. The appellant contends that without the proposed change of use it would not be possible to undertake maintenance of the existing listed buildings. However, I have no details before me of the works required to the buildings or any mechanism such as a planning obligation to secure it. Accordingly, this carries little weight in my decision.
24. I therefore consider the proposed change of use would result in harm to the setting of the historic buildings, although the overall harm would in my view be less than substantial as the fabric of the buildings themselves would be unaffected. Nonetheless this still represents harm to which I must attach great weight to.
25. For the reasons above, the proposal would not accord with CS Policy L3 and DMP policies DMC5 and DMC7 that collectively require development proposals conserve or enhance historic assets and their setting. Likewise, the proposal would be contrary to the Framework's objectives of conserving and enhancing the historic environment.

Heritage balance

26. In such instances where the harm to heritage assets, in this case the forementioned listed buildings, is less than substantial, the Framework states it should be weighed against the public benefits of the proposal. Here, I find few public benefits would arise and little persuasive arguments of them have been advanced by the appellant. I acknowledge that some short-term marginal economic benefit would be created as a result of the construction of the building. There would also likely be minor longer-term economic benefit through increased tourism, likewise marginal additional usage of the National Park. However, and in my judgment, these benefits fall considerably short in outweighing the identified harm to the heritage assets that I have identified.

Other matters

27. That the Council has not objected on other policy grounds, including effects on neighbouring uses and living conditions, or that there was no local objection to the scheme, does not alter my judgement of the harm I have identified above.
28. I appreciate that the proposal would likely provide additional private benefit in terms of diversified income to the appellant whose family have a long association with the land. However, in the absence of supporting financial information I cannot conclude that the proposal is necessary to secure the future viability of the farm.

Conclusion

29. For the reasons given above, I conclude that the appeal is dismissed.

M Scriven

INSPECTOR