
Appeal Decision

Site visit made on 7 December 2021 by G Sibley MPLAN MRTPI

Decision by L McKay MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2022

Appeal Ref: APP/M9496/D/21/3281263

Rose Cottage, Back Lane, Calton, Derbyshire ST10 3JX

- 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 Stephen Rowland against the decision of Peak District National Park Authority.
 - The application Ref NP/SM/0521/0530, dated 13 May 2021, was refused by notice dated 13 July 2021.
 - The development proposed is new detached garage.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matter

3. The Government published on 20 July 2021 a revised version of the National Planning Policy Framework. The main parties have been given an opportunity to comment on the revised Framework. The comments received have been addressed in this decision.

Main Issue

4. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Calton Conservation Area (CA) and linked to this, whether the proposal would conserve or enhance the natural beauty, wildlife and cultural heritage of the Peak District National Park (NP).

Reasons for the Recommendation

5. The CA comprises the small village of Calton, within the NP. The dwellings within the village are typically constructed from natural rubble limestone with plane tiles and slate. The CA derives considerable significance from the well-preserved linear layout dating from the medieval period, with a central street fronted by houses with associated crofts to the rear in the form of long strip fields. The surrounding agricultural landscape also contributes to the significance of the CA.
6. The CA appraisal identifies that the strip fields are the most important open spaces in the CA and that the general rule is that substantial buildings relate to

the street and do not extend far into the fields. It states that the relationship between buildings and medieval fields to the rear is the most significant characteristic of Calton. The CA appraisal goes further in stating that where these fields have been repurposed into gardens, any further development of a similar nature should be resisted.

7. Back Lane runs through the centre of the village and around in a loop, with most dwellings located off this road. The appeal site is set back from Back Lane close to a public footpath and accessed from the northern part of the loop, unlike most other dwellings. It is sited in a long and narrow strip like many other crofts, although much narrower than surrounding plots. It has however been landscaped to be used as a garden, with a shed, greenhouse, store and raised beds in the part where the garage is proposed. Consequently, it has a domesticated character at odds with this part of the CA and unlike surrounding plots which are generally open grassed areas with little landscaping.
8. Nevertheless, the majority of the appeal site is open and free from development and the structures present are small, lightweight structures. Despite the trees and structures on the site there are still views through it across the larger strip fields either side, which are open spaces that make a positive contribution to the significance of the CA. As a result, as currently laid out the appeal site makes a neutral contribution to the significance of the CA.
9. Outbuildings are not uncommon within the CA, but the appraisal identifies that those along the south side of Back Lane close are particularly likely to be on or very near the street. This is evident by the number of garages and outbuildings that have been built along the southern part of Back Lane through the village. Along the northern part of Back Lane there are very few outbuildings located towards the rear of these fields which is consistent with the open character of these areas.
10. The proposed garage would be constructed from traditional local materials and its scale would be subservient to the host dwelling. However, its location towards the northern part of Back Lane, well away from the dwelling and the concentration of development in the village would not respect the pattern of development in the CA. While historically the crofts may have had small buildings in them such as workshops, there are none in this area and there is no compelling evidence before me that they would have been located so far down the fields away from the associated dwellings.
11. The garage would be taller and bulkier than the existing structures and although not easily visible from neighbouring properties, it would be visible between the trees from the northern part of Back Lane. It would also be clearly visible from the public footpath, from which it would be a prominent feature in an area with very little development.
12. While additional landscaping as suggested by the appellant could provide more screening from some views, the vehicular entrance to the garage would face the footpath and could not easily be screened by planting without compromising access. Moreover, additional planting would further enclose the site and erode the generally open landscape character.
13. Consequently, despite its vernacular design the proposed garage would appear incongruous in this location and would further domesticate the garden area and erode the agricultural character of this part of the CA. Therefore, the proposal

would not preserve or enhance the valued characteristics of the CA and would harm its character and appearance and features which contribute to its significance.

14. Whilst I note the appellant's reasoning behind the proposed location, outbuildings built close to the associated dwellings are common within Calton and would not necessarily be harmful to the significance of the CA or to the special qualities of the NP. While such a building might be visible from neighbouring properties, there is no compelling evidence before me that this would be harmful to the living conditions of the occupiers. Additionally, it has not been demonstrated that a garage by the house would need to be large enough to accommodate the appellant's second car.
15. Given the scale of the proposal it would result in less than substantial harm to the CA as a whole having regard to the Framework, which requires such harm to be balanced against any public benefits of the scheme. Nevertheless, such harm is a matter of considerable importance and weight.
16. The proposal would remove the existing poor-quality outbuildings and the sight of a car parked in this area, albeit any car would largely be screened by the buildings, resulting in a small improvement to the appearance of the CA. The incorporation of solar panels and provision for charging electric vehicles would be supported by local and national policies that seek to address the impacts of climate change and generate renewable energy. The ability to store an electric car and bicycles would encourage use of these more sustainable transport modes. Rainwater harvesting would also make a small contribution to reducing water use. However, such features are commonplace and therefore do not equate to innovative design as the appellant suggests. Given the scale of the proposal these would provide limited public benefits, to which I attach limited weight. Overall, the public benefits of the proposal would be limited and would not outweigh the harm it would cause to the significance of the CA.
17. For the reasons above, the proposal would not preserve or enhance the character and appearance of the CA. Therefore, it would diminish the cultural heritage of the NP, a matter to which I give great weight having regard to Framework paragraph 176.
18. As a result, the proposal would be contrary to Policies GSP1, GSP3 and L3 of the Core Strategy Development Plan Document (adopted 2011). These policies expect development to be consistent with the National Park's legal purposes and duties as well as ensuring development conserves and where appropriate enhances or reveals the significance of historic assets or their settings. Furthermore, the proposal would conflict with Policies DMC3, DMH8 and DMC8 of the Development Management Policies – Part 2 of the Local Plan for the Peak District National Park (LP) (adopted 2019). These policies state that new outbuildings will be permitted where they would conserve or enhance the immediate dwelling and curtilage, including listed building status and setting, Conservation Area character, important open space and valued landscape character. Furthermore, the proposal would be contrary to the heritage policies of the Framework. It would not therefore benefit from the presumption in favour of sustainable development in Framework paragraph 11.
19. The Authority has referred to LP Policy DMH7 in its decision, however that policy relates to extensions and alterations. Given that the proposal is for an outbuilding, the policy has not been determinative in my assessment.

Other Matters

20. I note the appellant's reference to other approved garages in the area, however I have very limited details of these and therefore cannot be certain that their context, siting and design is comparable to the scheme before me. The appellant also intends to move to alternative sources of heating, however this is not demonstrably dependent on this garage proposal. Therefore, these matters do not justify the harm identified.
21. The appellant raises concerns about the Authority's handling of the planning application, however it is not my role to consider these matters in determining this appeal, which I have considered on its own merits.

Conclusion and Recommendation

22. There are no material considerations, including the benefits of the scheme, that indicate that the appeal should be determined other than in accordance with the development plan. Therefore, for the reasons given above, the proposal would not accord with the development plan as a whole, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

G Sibley

APPEAL PLANNING OFFICER

Inspector's Decision

23. I have considered all the submitted evidence and the Appeal Planning Officer's report and, on that basis, I agree with the recommendation and shall dismiss the appeal.

L McKay

INSPECTOR