

Appeal Decision

Site visit made on 15 February 2022

by C McDonagh BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 March 2022

Appeal Ref: APP/M9496/W/21/3281312

Coach House, Leys Lane, Slaley, Bonsall DE4 2BB

- 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 David Bradley against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/1120/1118, dated 27 November 2020, was refused by notice dated 9 June 2021.
 - The development proposed is a double garage and store.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The updated version of the National Planning Policy Framework (the Framework) published in July 2021 after the determination of the planning application. However, the submission of appeal statement's for both main parties and comments from interested parties all postdate the publication of the new Framework. Therefore, I am therefore satisfied all parties have had the opportunity to consider the changes to the most recent version. I have proceeded with reference to the 2021 Framework in my decision.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The Coach House curtilage includes the main dwelling, a converted outbuilding now used as a holiday let and an area of hardstanding for access and parking. The topography rises sharply behind the dwelling towards Leys Lane. The proposed garage and store would be located in an adjoining field lined by a dry-stone wall. As part of the expanse of open countryside, the field and its boundary walls contribute positively to the rural landscape character of the wider area.
5. I note that the garage and store was designed to adhere to guidance contained within the Alterations and Extension Supplementary Planning Document (SPD). To that end, the National Park Authority (NPA) do not object to the design based on its scale, materials or form, for example. Rather, the concern relates to the positioning of the garage outside of the established curtilage of the Coach House and its outbuildings and the loss of the dry-stone wall.

6. National Parks have the highest status of protection in relation to landscape and scenic beauty. The proposal would lead to a significant incursion of built form into an agricultural field and the loss of a dry-stone wall that would detract from the inherent undeveloped character of the field. Moreover, the position of the building would be elevated higher than the holiday let and Coach House due to the steeply rising topography of the area. Although it would appear in context as part of the existing cluster of buildings when viewed from positions within Slaley and the Coach House curtilage, when viewed from the footpath which transects the appeal field and longer-range views across the valley it would appear prominent.
7. Evidently the dry-stone wall which forms the boundary between the curtilage of the Coach House and the field is in poor condition and would require rebuilding regardless of whether the garage is erected. Be that as it may, were it to be rebuilt it would remain a positive feature of the local landscape. In any event, this would not justify the harm I have identified from the incursion of the garage and store into the field. Dry-stone walls are an intrinsic part of the rural character of the area and replacing the section in question with the wall of the garage would cause further harm to the character and appearance of the area.
8. Based on the above, the proposal would harm the character and appearance of the area. This would be contrary to Policies DMC3 of the DMP¹ and GSP1 and GSP3 of the CS². These advise, among other things, that appropriate siting is essential if permission is to be granted while generally seeking to conserve the intrinsic scenic beauty of the landscape of the National Park. The proposal would also be contrary to aims of the Framework which states in paragraph 176 that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, among others.
9. Policies L3 of the CS and DMH7 of the DMP are also referenced in the decision notice. L3 relates to conserving cultural heritage assets. I am not informed of any harm caused by the proposal to any particular heritage asset. DMH7 seeks to ensure extensions and alterations to existing dwellings do not lead to undesirable changes to the landscape, among other things. The outbuilding would not be within the curtilage of the dwelling and is not an extension to the building. Although DMH8(A) applies to new outbuildings, the NPA have not identified harm through the scale, mass, form or design of the garage and store. As such, the proposal would not be contrary to these policies.

Conclusion

10. Despite a lack of conflict with some policies, the proposal would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

C McDonagh

INSPECTOR

¹ Peak District National Park Development Management Policies (Part 2 of the Local Plan) (2019)

² Peak District National Park Local Development Framework Core Strategy Development Plan Document (2011)