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# Appeal Decision

Site visit made on 5 April 2022

**by A Edgington BSc (Hons) MA CMLI**

**an Inspector appointed by the Secretary of State**

**Decision date: 9 May 2022**

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**Appeal Ref: APP/M9496/W/21/3276927**

**Broughton Caravan Park, Baslow Road, Calver, Derbyshire S32 3YP**

- 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 Ian Lawton against the decision of Peak District National Park Authority.
  - The application Ref NP/DDD/0919/0987, dated 6 September 2019, was refused by notice dated 11 December 2020.
  - The development proposed is Change of use from grassland to a caravan park extension for 21 pitches. Alteration to the main road (A623) access including an additional bin store to match existing.
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## Decision

1. The appeal is dismissed.

## Preliminary Matter

2. As the decision maker I have a statutory duty to consider the effect of a development on the preservation of the Grade II\* listed Calver Bridge, The Grade II listed Calver Mill and the Calver Weir Scheduled Monument.

## Main Issues

3. The main issues are:
  - Whether the extension to the existing caravan park would comply with local policies; and,
  - The effect of the development on the character and appearance of the Peak District National Park (PDNP), including the setting of the Calver Conservation Area.

## Reasons

### *Principle of development*

4. The existing site houses static caravans on a site separated from the Baslow Road by a field. The development comprises the siting of a further 21 static caravans on that field, with screening to be provided by additional landscape works along the boundary.
5. Policy RT3 of the 2011 Core Strategy (CS) states that *static caravans... will not be permitted*. There seems to be some inconsistency between the wording of the policy and the explanatory text which states that *exceptionally static caravans... may be acceptable in some locations where they are not intrusive in the landscape*. However, it is generally accepted that the actual policy wording

takes precedence over explanatory text. As such, I conclude that this policy prohibits static caravans.

6. The more recently adopted Development Management Policies (DMP) refers to touring camping and caravan sites in DMP Policy DMR1. However, there is no mention of static caravans and it appears to me that the reference to extensions to existing sites is concerned only with touring caravan sites. As this development concerns the extension of a site with static caravans, I conclude that DMP Policy DMR1 weighs neither for nor against the appeal.
7. In 2014 the Park Authority granted permission for an extension to Greenhills Caravan Park. However, this development concerned touring caravans only. Moreover, the plans indicate that the caravan park was separated from the Buxton Road by a significant land buffer.
8. At Newhaven Caravan Site, 10 additional static caravans were permitted in March 2019. Although there are no plans submitted, the delegated report suggests that the static caravans were in the centre of the park and were not visible from any public vantage points.
9. As such, I am satisfied that neither of these examples sets a particular precedent to justify this development. In any case, it remains as set out above, that the current policy environment prohibits static caravans. Harm arising from conflict with policy on one site does not necessarily justify harm elsewhere.
10. In the light of the above, I conclude that the extension to the caravan park would not comply with local policies, as the proposed extension would be contrary to CS Policy RT3.

#### *Character and appearance*

11. The site lies directly to the south of Baslow Road on the eastern approach to Calver. The approach to Calver from this direction has a predominantly rural character, which is enhanced on the northern side of the road by the cluster of period stone buildings including The Bridge Inn (the Inn), Curbar Primary School, and All Saints Church (the Church) which are seen against a bank of mature trees and rising ground. Although a section of the original carriageway opposite the site appears to be used primarily for car parking, the obvious proximity of the field pattern on both sides of the road, glimpsed through boundary vegetation, together with the distinctive loose building pattern, gives the immediate locality a semi-rural character.
12. To some extent the car parking detracts from the rural character and appearance of the area. However, 21 static caravans on the other side of the road from that parking area would also appear intrusive, and have a cumulative erosive effect on the rural nature of the area. I appreciate that the site is lower than the road and that planting could be introduced to give additional screening. However, deciduous species would be the most appropriate in this location and such a screen would not be wholly effective in the winter months.
13. Moreover, the site plan does not show the existing mature vegetation on the road verge. The geometry of the visibility splays suggest that some existing vegetation would need to be removed, which would detract further from the

underlying rural character of the area in addition to the urbanising alterations required to the site entrance.

14. Paragraph 176 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving and enhancing scenic beauty in National Parks. Notwithstanding that I have limited information before me with regard to how the site contributes to the scenic beauty of the PDNP, additional static caravans on this roadside site would diminish the site's contribution to the semi-rural character and appearance of the area.
15. There is no statutory protection for the setting of a conservation area in the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). However, Paragraph 200 of the Framework states that harm or loss to the significance of a designated heritage asset, or from development within its setting, should require clear and convincing justification.
16. DMP Policy DMC8 sets out that applications for development that affects the setting of a conservation area, should assess and clearly demonstrate how the character or appearance and significance of the conservation area will be preserved or enhanced. The policy text goes on to state that development will not be permitted if applicants fail to provide adequate or accurate information in this regard, which includes setting. This requirement is also set out in Paragraph 194 of the Framework. There is very little information before me with regard to the significance of the Calver Conservation Area (CA), and the extent to which the appeal site contributes to its setting. As such and on the basis of what is before me, I am unable to conclude that the development would not diminish the setting of the CA. Nor is the development accompanied by clear or convincing justification in this regard.
17. The listed Calver Bridge dates from around 1800 and is a triple arched gritstone bridge, with segmental arches and hood moulds. It spans the CA boundary, which appears to be the Derwent's western bank, and provides an earlier crossing point across the river, closer to the Calver Mill and the Weir. It is located about 50 metres north of the more recently constructed bridge and the appeal site.
18. However, the bridge sits primarily within the visual context of The Bridge Inn, the Church and other stone dwellings. The site is not particularly visible from the bridge as views are obscured by vegetation along the river bank, and in the Inn's garden. I am satisfied that the development would not detract from the setting of Calver Bridge. The Mill and Weir are further removed from the site and on the basis of what is before me, I conclude that their settings would not be adversely affected by the development.
19. In the light of the above, I conclude that the development would have an adverse effect on the character and appearance of the PDNP as well as the setting of the CA. As such it would be contrary to CS Policy L3 and DMP Policy DMC8, which taken together are concerned with the conservation and enhancement of historic assets, including their settings, amongst other considerations. It would also conflict with Paragraph 176 of the Framework as set out above.
20. DMP Policy DMC3 sets out the criteria for the assessment of development which is acceptable in principle. However, I have concluded that this development is

not acceptable in principle and therefore this policy weighs neither for nor against the development.

21. CS Policy L1 requires development to conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Although I requested the Landscape Strategy and Action Plan during the appeal, it was not provided. As such, in the absence of identified valued landscape character I am unable to assess whether the development would conserve or enhance those characteristics. I conclude that CS Policy L1 also weighs neither for nor against the appeal.

#### *Other matters*

22. The appeal statement refers to Paragraphs 172, 174, 175, 182 and 183 of an earlier edition of the Framework. These are now Paragraphs 176, 179, 180, 186 and 188 of the current Framework, which are concerned with the conservation and enhancement of the natural environment. I appreciate that the appeal site is a field but it is in a prominent position on the approach to Calver and provides part of the setting of the CA. Individual parcels of land do not have to be highly regarded to make a contribution to the overall appreciation of the distinctive PDNP landscape.
23. Paragraphs 179 and 180 are concerned with biodiversity but this is not raised as a concern by the Authority. In fact, the creation of a strip of meadow is noted as having biodiversity benefits.
24. Paragraphs 186 and 188 are concerned with ground conditions and pollution. There is nothing before me to indicate that the Authority has raised a concern in this regard.

#### **Planning Balance and Conclusion**

25. The appellant argues that an extension to the caravan park would have economic benefits for Calver. However, there is no supporting evidence in this regard, and or any indication that businesses such as the nearby Bridge Inn or local shops would be unviable without that additional business. As such these benefits, including the biodiversity benefits arising from the proposed meadow, carry little weight in relation to the conflict with the development plan and do not outweigh the harm I have identified above.
26. I conclude that the development would be contrary to the Local Plan taken as a whole, as well as national guidance, and that there are no material considerations of such weight to lead me to conclude otherwise. The appeal is dismissed.

*A Edgington*

INSPECTOR