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# Appeal Decision

Site visit made on 10 May 2022

**by C McDonagh BA (Hons) MA MRTPI**

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

**Decision date: 8 June 2022**

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**Appeal Ref: APP/M9496/W/21/3288960**

**Hillcrest, Stanedge Road, Bakewell DE45 1DG**

- 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 Steven Donnelly against the decision of Peak District National Park Authority.
  - The application Ref NP/DDD/1220/1144, dated 16 November 2020, was refused by notice dated 15 June 2021.
  - The development proposed is the creation of parking area for dwelling from agricultural field.
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## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues are as follows:
  - The effect of the proposal on the character and appearance of the area, with particular regard to the Bakewell Conservation Area (BCA); and
  - The effect of the proposal on highway safety.

## Reasons

### *Character and Appearance*

3. The appeal site comprises a section of an agricultural field abutting the boundary of Hillcrest, a detached dwelling located off Stanedge Road. It was evident at the site visit that some laying of hardcore has begun at the field entrance. However, the character of the larger field is inherently rural and open, with a lack of built form adding to the transition from the built-up area of Bakewell to open countryside. The field therefore contributes positively to both the rural setting of Bakewell and open landscape character of the area, and I disagree that it could be described as 'redundant' because it has not been farmed for some time. Moreover, National Parks have the highest status of protection in relation to landscape and scenic beauty as per paragraph 176 of the National Planning Policy Framework (the Framework).
4. The proposal to lay hardstanding would create a significant urban incursion into part of the field that would detract from its undeveloped character and appear incongruent in this context. This harmful change would be apparent and compounded by the loss of a section of drystone wall. Although it would appear

to be set against Hillcrest when travelling towards Bakewell along Stanedge Road, when viewed from the footpath opposite the appeal field it would appear prominent. While off-street parking is not unusual in a residential setting, in this context it would harm the rural character of the area. Although I understand the appellant is willing to rebuild part of the drystone wall, which is considered to be in poor condition, this would not lessen the harm I have identified. I acknowledge the appellant is willing to agree to a landscaping scheme, but this would take some time to mature and in the short to medium term the harm would be evident.

5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. The Framework sets out at paragraph 199 that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to that asset's conservation.
6. The BCA derives its significance largely from its vernacular architecture, and I note that Hillcrest is considered an 'Important Unlisted Building' in the Conservation Area Appraisal (CAA). Moreover, the CAA also identifies important short-range views from the appeal site along Stanedge Road to the west across the appeal site field (Fig.14. Views within Bakewell Conservation Area). Given the harm to the character and appearance of the area that I have identified, the importance of the host building and short-range views nearby, it follows that the proposal would harm the significance of the BCA.
7. In the context of the Framework, the level of harm I have identified would be less than substantial. Paragraph 202 of the Framework states that where a development would lead to less than substantial harm to the significance of a designated heritage asset (such as the BCA), this harm should be weighed against the public benefits of the proposal.
8. It is claimed that the proposal would be of public benefit by the appellant's cars being taken off the road, therefore creating more on-street parking. However, the proposed site plan indicates this would involve three spaces, which would be limited in terms of its benefit. I am also advised that the parking area could allow the appellant to install an electric vehicle charging point and, perhaps, buy an electric vehicle. However, there is no guarantee this would occur and as such is not a public benefit. As such, the public benefits of the proposal are limited and do not outweigh the harm to the heritage asset, which carries substantial weight against the scheme.
9. To conclude, the proposal would harm the character and appearance of the area, including the BCA. It would therefore be contrary to Policy L3 of the Peak District National Park Core Strategy Development Plan Document (CS) (2011), which seeks to ensure development conserves the significance of heritage assets, among other things. The proposal would also be contrary to Policies DMC5, DMC8, DMT8 and DMB1 of the Peak District Local Plan Development Management Policies (DMP) (2019), which advise development will not be permitted if it would result in the loss of existing features which contribute to the character, appearance, significance or setting of a heritage asset. There would be further contravention to the guidance in the Framework, which advises great weight should be given to the conservation of heritage assets and seeks to conserve protected landscapes.

### *Highway Safety*

10. The proposal would include the creation of a new vehicular access at the existing field entrance. Stanedge Road has a 30 miles per hour (mph) speed limit. On my site visit, I observed that the road is narrow and includes off-street parking areas to the opposite side of the appeal site. The Highways Authority expressed concern regarding visibility for egressing drivers, with a 2.4m x 43m sight line required, although pending the results of a speed survey this distance could be reduced.
11. The appeal includes the results of an Automatic Traffic Counter (ATC) (VS Traffic Data Services) which was carried out from 13 – 19 November 2021. This concludes that the average speed along Stanedge Road did not exceed 22mph in either direction. The appellant therefore advises the visibility distance can be reduced to 33m in both directions. While there did appear to be good visibility to the northwest, to the southeast the road curves away and towards Bakewell. It has not been clearly demonstrated on any of the submitted plans that this distance can be achieved and as such, I share the concerns of the Council in this matter.
12. Based on the above, the proposal has not demonstrated that highway safety would not be harmed. This would be contrary to Policy DMT3 of the DMP, which states that where development includes a new access to a public highway, a safe access that is achievable for all people can be provided.

### **Conclusion**

13. The proposal would harm the character and appearance of the local area, including the significance of the BCA, and has not demonstrated that a safe access could be achieved to ensure highway safety. As such it 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, including the public benefits forwarded by the appellant in support of the scheme. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

*C McDonagh*

INSPECTOR