



Appeal Decision

Site visit made on 4 October 2022

by Mark Caine BSc (Hons) MTPL MRTPI LSRA

an Inspector appointed by the Secretary of State

Decision date: 21 October 2022

Appeal Ref: APP/M9496/W/22/3296102

Losehill Farm, Unnamed Road from Squires Lane to White Lea Farm, Castleton S33 8WB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a failure to give notice within the prescribed period of a decision on an application for planning permission
 - The appeal is made by Mr Ashley Hobson against Peak District National Park Authority.
 - The application Ref NP/HPK/0122/0021, is dated 12 January 2022.
 - The development proposed is the erection of a single storey extension.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of a single storey extension at Losehill Farm, Unnamed Road from Squires Lane to White Lea Farm, Castleton, S33 8WB in accordance with the terms of the application, Ref NP/HPK/0122/0021, dated 12 January 2022, subject to the conditions in the attached schedule.

Preliminary Matter

2. The appeal follows the Authority's failure to determine the application within the prescribed period. The Authority has indicated in its statement of case, that had it been in a position to determine the application, it would have refused planning permission for a reason relating to design and heritage.

Main Issue

3. From the evidence before me, I consider the main issue to be the effect of the proposed development on the character and appearance of the existing building, with particular reference to the impact on its significance as a non-designated heritage asset.

Reasons

4. The appeal relates to Losehill Farm, which comprises an isolated stone-built farmhouse and attached outshut and converted barn, that are arranged in a linear plan form. It sits within an elevated hillside location, in open countryside and the Peak District National Park (National Park).
5. The Authority has identified Losehill Farm as a non-designated heritage asset (NDHA). A heritage statement was submitted with the application. This indicates that the significance of the building derives from its architectural and historical interest as a moderately well-preserved example of a small post-medieval farmstead in the local form and vernacular. I have no substantive reason to disagree with this.

6. The proposed extension is of a simple form, with a lower ridge height than the single storey outshut element of the building (which I am informed was rebuilt in 2007) that it would adjoin. Its contrasting glazed lightweight materials would also allow the rural character and identity of the farmhouse to be read separately and thereby retained. As such it would not erode any sense of a traditional rural farm layout and would be of a size and scale that would be proportionate and subordinate to the original building. It would also be screened from a number of long-range views by mature vegetation on the site, and the land that it sits within. As a result, it would not materially harm the significance of the NDHA or appear conspicuous in the wider landscape.
7. I therefore find that the proposed development would not have a harmful effect on the character and appearance of the building, and its significance as a non-designated heritage asset. As such, it would not conflict with Policies GSP1, GSP2, GSP3, and L3 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document 2011 and Policies DMC3, DMC5, and DMH7 of the Peak District National Park Development Management Policies 2019. Together, these require development to be of a high-quality appropriate design, that does not detract from its surroundings or the original building, and protects the character and appearance and significance of the heritage asset and the National Park.
8. In similar respects, it would comply with guidance contained in the Authority's Supplementary Planning Documents 'Design Guide', 'Building Design Guide' and 'Detailed Design Guide for Alterations and Extensions' in regard to respecting and retaining the character of the original building and its setting. It would also accord with Paragraph 176 of the National Planning Policy Framework (the Framework), and would conserve and enhance natural beauty, wildlife and cultural heritage which form one of the statutory purposes of the National Park.
9. In addition, no conflict would arise with the requirements of Paragraph 203 of the Framework which requires the effect of an application on the significance of a NDHA to be taken into account, and a balanced judgement applied, in its determination.

Other Matters

10. I have been made aware of the minor differences in height between the appeal proposal and an extant permission for a single storey rear extension on the site (Ref: NP/HPK/0522/0640). The Authority's reasons for seeking this reduction in height and its disappointment that a revised scheme could not be agreed before the appeal was submitted are noted. However, for the reasons provided above, I do not consider the height reductions to be necessary to make the proposal acceptable.

Conditions

11. I have considered the conditions suggested by the Authority against the tests of Paragraph 56 of the Framework and advice in the Planning Practice Guidance: *Use of planning conditions*. In addition to the statutory time limit condition, I agree that a condition specifying the relevant plans is necessary to provide certainty. For reasons of appearance, the suggested tree protection and pruning conditions are also required, and I have reworded a number of these in the interests of clarity and precision. Nevertheless, I do not consider a

condition to ensure that the proposal is not used as a separate dwelling to be necessary as this is not what is proposed, and any future material change of use to this would require another grant of planning permission.

Conclusion

12. For the reasons given above, having taken account of the development plan as a whole, along with all other relevant material considerations, the appeal should therefore be allowed.

Mark Caine INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan, 101 Rev A, 102 Rev A, 103 Rev A, 104 Rev A and 105 Rev A.
- 3) No site clearance, preparatory work or development shall take place until the proposed investigation of tree roots for T1 are carried out in accordance with the process detailed in Section 6.6 of the Arboricultural Impact Assessment, dated 28 January 2022.
- 4) No site clearance, preparatory work or development shall take place (following the results of the tree root investigation and assessment of the preferred option of construction of foundations within the root protection area of T1) until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (the arboricultural method statement) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.
- 5) No site clearance, preparatory work or development shall take place until a scheme of monitoring and supervision, for the arboricultural protection measures required by condition 4, have been submitted to and approved in writing by the local planning authority. The approved scheme of monitoring and supervision shall be implemented and adhered to throughout the construction period for the development.
- 6) The proposed tree pruning specification for T1 is to be undertaken strictly in accordance with the details provided in Section 6.2 of the Arboricultural Impact Assessment, dated 28th January 2022. The tree pruning works shall be carried out in accordance with BS3998:2010.
- 7) No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years from the date of the occupation of the building for its permitted use, other than in accordance with the approved plans and details, without the prior written approval of the local planning authority.

END OF SCHEDULE