
Appeal Decisions

Site visit made on 10 January 2023

by Michael Boniface MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23 January 2023

Appeal Ref: APP/H1033/W/22/3301340

Bowden Hall, Bowden Lane, Bowden, Chapel-En-Le-Frith, Derbyshire, SK23 0QP

- 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 N Webb against the decision of High Peak Borough Council.
 - The application Ref. HPK/2021/0627, dated 29 October 2021, was refused by notice dated 7 June 2022.
 - The development is installation of rooflights to stables.
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Appeal Ref: APP/H1033/Y/22/3301343

Bowden Hall, Bowden Lane, Bowden, Chapel-En-Le-Frith, Derbyshire, SK23 0QP

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr N Webb against the decision of High Peak Borough Council.
 - The application Ref. HPK/2021/0634, dated 29 October 2021, was refused by notice dated 7 June 2022.
 - The works are installation of rooflights to stables.
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Decisions

1. The appeals are dismissed.

Preliminary Matters

2. The appeals seek retrospective planning permission for rooflights that have already been installed, and to regularise the works to the listed building. As such, I was able to view the rooflights in situ during my site visit.
3. As the proposal relates to a listed building I have had special regard to sections 16(2) and 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
4. The evidence makes reference to the planning history on site, in particular, previous permission having been granted for conversion of the stable block into residential apartments with associated works. Whilst I have had regard to this history, the proposal before me relates only to the rooflights that have been installed, which differ from those previously approved in any case. The Council suggests that the previous planning permission and listed building consent have lapsed without implementation, and this has not been disputed by the appellant. With this in mind, my decisions consider only the rooflights in the

context of the existing building, which was not in a residential use at the time of my visit.

Main Issue

5. The main issue is whether the proposal would preserve a Grade II listed building, Stabling at Bowden Hall, and any of the features of special architectural or historic interest that it possesses.

Reasons

6. The stable block at Bowden Hall is a large and handsomely detailed building close to the hall itself. It is constructed from stone with a slate covered hipped roof topped with a bellcote. It's size, materials and fine architectural detailing are all indicative of its association with a high-status building and, for the purposes of these appeals, are important aspects of its special interest.
7. The installed rooflights are of a conservation style, being flush fitting with the roof plane. However, they are sizeable and have been installed on multiple roof slopes so that they are visible in the context of the hall, on approach along Bowden Lane and from the public footpath to the rear. They are clearly modern additions that are not typical of a functional historic stable block and have required alterations to the historic fabric of the roof. As such, they detract from the traditional appearance of the building and harm its special interest.
8. The harm arising would be less than substantial in the terms of the National Planning Policy Framework (the Framework) but is nevertheless of considerable importance and weight. No public benefits have been identified from the installation of rooflights that can be weighed against the harm that I have identified.
9. I acknowledge that the appellant has sought to restore and undertake works to other buildings nearby to ensure their longevity, but the current appeals relate solely to the installation of the rooflights and are not part of a scheme to reuse the stable block.
10. As such, I find that the proposal would fail to preserve the special architectural and historic interest of the listed building. This would fail to satisfy the requirements of the Act, paragraph 197 of the Framework and conflict with policies S1, EQ3, EQ6 and EQ7 of the High Peak Local Plan (2016) in so far as they require good design and the protection of heritage assets. As a result, the development is not in accordance with the development plan.

Conclusion

11. In light of the above, the appeals are dismissed.

Michael Boniface

INSPECTOR