



Appeal Decision

Site visit made on 20 March 2023

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2023

Appeal Ref: APP/M9496/W/22/3307826

Slipper Low Farm, Aldwark, Grange Mill DE4 4HX

- 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 P Hardy of TD & PD Hardy Ltd against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0122/0132, dated 27 January 2022, was refused by notice dated 27 May 2022.
 - The development proposed is a proposed additional digestate lagoon.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the Peak District National Park.

Reasons

3. The appeal site lies within a natural hollow in the open countryside, across two fields bounded by a limestone wall. The wall, together with the other boundary walls in the area, forms a significant component of the landscape and positively contributes to the character of the area.
4. The site is located within the Limestone Plateau Pastures character area within the White Peak, described in the National Park Historic Landscape Character Assessment (LCA) as a planned agricultural landscape recognised as being intensively farmed. Identified key characteristics include a rolling upland plateau, pastoral farmland enclosed by limestone walls, a regular pattern of small to medium sized rectangular fields and open views to surrounding higher ground. The LCA highlights that straight boundaries and regular enclosure pattern are strong and very distinct features of this landscape as I witnessed on my visit.
5. The LCA identifies the overall strategy for the White Peak is to protect and manage the distinctive and valued historic character of the settled, agricultural landscapes, whilst seeking opportunities to enhance the wild character and diversity of remoter areas. This strategy is reflected within policies of the Development Plan. A priority for the Limestones Plateau Pastures character area, as identified in the LCA, is to protect the historic pattern of enclosure and the wooded character.

6. The site is visible from medium to short distance views from the road. It is also visible from medium to longer distance views from the nearby Public Rights of Way and Byway Open to all Traffic. The proposed digestate lagoon would be seen in such views as an obvious, man-made feature, in this landscape given the unnatural appearance of the landscape bunds.
7. Given its relatively small scale, I accept that the use of a natural hollow in the ground and the implementation of an appropriate landscape scheme would assist in mitigating the landscape impact of the lagoon. Nonetheless, any possibility that the proposal would appropriately integrate into the landscape would be significantly undermined by the proposed rebuilding of the existing limestone wall. The resultant deviation of the line of the wall around the digestate lagoon would be seen as a discordant and incongruous feature in comparison with its current straight line.
8. Such an alteration to the line of the wall would harm the character and appearance of the area, and the LCA priority of protecting the historic pattern of enclosure would not be achieved. The appellant provides a compelling case justifying the benefits of, and the need for, the additional digestate lagoon in the proposed location. Even so, no compelling evidence has been advanced that demonstrates that the wall could not be rebuilt in a straight line. I therefore have no basis upon which to conclude that the benefits of the proposal could not be achieved in a manner that results in less harm to the character and appearance of this valued landscape.
9. I conclude that the proposal would be harmful to the character and appearance of the Peak District National Park. It would therefore conflict with Policies GSP1, GSP2 and L1 of the Core Strategy Development Plan Document and Policies DMC3 and DME1 of the Development Management Policies. Such policies seek to ensure that development would be consistent with the purposes and duty of the National Park and avoid an adverse effect on the area's valued characteristics.

Other Matters

10. The Council does not allege that the development would have an adverse effect on the setting of Minninglow, a scheduled ancient monument, and the setting of a listed building at the neighbouring farm. Having considered the development and visited the site, I find that the appeal proposal would preserve their settings and their significance as designated heritage assets.

Conclusion

11. For the reasons set out above, I conclude that the proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweighs the identified harm and associated development plan conflict.
12. Accordingly, I conclude that the appeal should be dismissed.

Elaine Moulton

INSPECTOR