
Appeal Decision

Site visit made on 16 May 2023

by S Ashworth BA (Hons) BPL MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 May 2023

Appeal Ref: APP/M9496/D/23/3315374

Hallot Hey Farm, Primrose Vale, Little Hayfield, Derbyshire SK22 2NH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (The Act) against a refusal to grant planning permission.
 - The appeal is made by Dr Chris Savoury against the decision of Peak District National Park Authority (the Authority).
 - The application Ref NP/HPK/0522/0742, dated 30 May 2022, was refused by notice dated 9 November 2022.
 - The development proposed is removal of used chimney stack at Hallot Hey Farm.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application and appeal forms describe the access to the property as Primrose Vale whereas the Decision Notice describes it as Primrose Lane. Having visited the site I am satisfied that I have correctly identified the property.
3. The description of development also varies between the documents. In the interests of conciseness, I have used the description as set out on the Decision Notice. However, the original application also referred to works to trees at the site. The main parties have clarified that that element of the proposal was removed from the application, to be determined separately. The Authority considered the proposal solely on the basis of the removal of the chimney and the appeal was made on that basis. I have determined the appeal accordingly.

Main Issue

4. The main issue in this case is the effect of the proposal on the character and appearance of the building and the surrounding area and, linked to that, whether the proposal would preserve or enhance the character or appearance of the Little Hayfield Conservation Area

Reasons

5. This house at Hallot Hey Farm is a traditional stone built whitewashed two-storey building situated in open countryside outside of the built-up part of the settlement. The house, consisting of the house and the attached former barn which has been converted, dates from the 17th/18th century and has two chimneys, a working chimney at the western end and a non-working chimney

close to the eastern elevation. The latter forms the subject of this appeal. Although the building is not statutorily listed, the Authority consider it to be a non-designated heritage asset as a result of its age and character.

6. The house has been significantly altered by the addition of a two-storey extension, conservatory and inclusion of new fenestration including a large window to the prominent eastern gable end. I understand that dry stone walling has been removed and the access arrangements possibly altered. Not all of these changes have been sympathetic but nevertheless the vernacular form and appearance of the original building is still apparent.
7. Paragraph 10.1 of the Authority's Design Guide (2007) indicates that chimneys, amongst other features, 'have an importance that belies their size'. The provision of two chimneys is a common characteristic of local vernacular houses and are an important component of the significance of this building historically given they provide an indication of how the dwelling was previously heated. Moreover, the eastern chimney is a particularly important feature in architectural and visual terms as its verticality helps balance the proportions of the building including, viewed from the east, the uncharacteristic horizontal gable window.
8. The building occupies an elevated position in the landscape and its white colouring makes it stand out. At the time of my visit, it was highly visible in long range views from the busy A624. It is also within the conservation area which includes the built-up part of the settlement and areas of countryside. Given its traditional vernacular form, despite some negative elements, the building makes a positive contribution to the landscape and conservation area.
9. Given the above, the loss of the chimney would undermine the significance of the building in both architectural and historic terms and, given its prominent position in the landscape, would have a minor but nevertheless adverse effect on the scenic beauty of the National Park. For the same reasons, its removal and resultant effect on the building, would neither preserve nor enhance the character or appearance of the conservation area. Accordingly, any justification for its removal needs to be convincing.
10. There has been some water ingress into the upper eastern side of the building, and consequent damage, thought to be associated with the chimney. The appellant is also concerned about potential damp in the house and damage or injury should the chimney decay further. I understand that advice was sought from roofing contractors who suggested the chimney is removed. However, there is no structural survey or other evidence before me that sets out or analyses the defects in the chimney, nor has it been demonstrated that the chimney is beyond repair. Moreover, since the submission of the appeal, the chimney has been rendered, a matter likely to have a positive protective effect on the building.
11. Given the extent of the conservation area and the small scale of the proposed development, the harm caused to the significance of the conservation area as a heritage asset would be less than substantial. The approach of the National Planning Policy Framework (the Framework) in such cases is that the identified harm should be weighed against the public benefits of the proposal. Whilst I acknowledge the need to find a suitable way to maintain the building as a family home and conserve it as a heritage asset, I am unconvinced on the basis of the evidence before me that the removal of the chimney is justified.

Accordingly, the proposal does not offer any public benefits that outweigh the identified harm which, as required by the Framework, carries great weight.

12. Paragraph 203 of the Framework requires that in considering applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. In this case, the building is of moderate significance as a heritage asset. Nevertheless, given the significance of the chimneys to the building, the scale of the harm is considerable.
13. For the above reasons the proposal would harm the character and appearance of the building and surrounding area and would not preserve or enhance the character or appearance of the Little Hayfield Conservation Area. Accordingly, the proposal is contrary to Policies GSP1, GSP3, L1 and L3 of the Peak District National Park Core Strategy 2011 and Policies DMC3, DMC8 and DMH7 of the Peak District National Park Development Management Policies 2019 which in various ways seek to secure the purpose of the national park and conserve and enhance valued characteristics of buildings, landscape character and the significance of heritage assets.

Other Matter

14. I have noted the appellant's frustration about the length of time taken to deal with the original application. However, that is a matter for the Authority. I can only determine the appeal on its merits.

Conclusion

15. For the reasons set out above and taking into account all other matters raised, including the lack of objection from the Parish Council, the appeal is dismissed.

S Ashworth

INSPECTOR