



Appeal Decisions

Site visit made on 3 October 2023

by K A Taylor MSC URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20TH November 2023

Appeal A Ref: APP/M9496/W/23/3314889

Leach House Leadmill, Hathersage, Hope Valley S32 1BA

- 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 Rod Broadberry against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0822/1053, dated 12 August 2022, was refused by notice dated 26 October 2022.
 - The development proposed was originally described as 'regularisation of unauthorised work to rear roof over bathroom'.
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Appeal B Ref: APP/M9496/Y/23/3314891

Leach House, Leadmill, Hathersage, Hope Valley S32 1BA

- 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 Rod Broadberry against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0822/1054, dated 12 August 2022, was refused by notice dated 26 October 2022.
 - The works proposed were originally described as 'regularisation of unauthorised work to rear roof over bathroom'.
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Decision

Appeal A

1. The appeal is allowed and planning permission is granted for rear roof over bathroom at Leach House, Leadmill, Hathersage, Hope Valley S32 1BA, in accordance with the terms of the application, Ref: NP/DDD/0822/1053, dated 12 August 2022.

Appeal B

2. The appeal is allowed and listed building consent is granted for rear roof over bathroom at Leach House Leadmill, Hathersage, Hope Valley S32 1BA in accordance with the terms of the application Ref NP/DDD/0822/1054 dated 12 August 2022, and the plans submitted with it.

Preliminary Matters

3. The two appeals concern the same scheme under different, complementary legislation. I have dealt with both appeals together in my reasoning.
4. Notwithstanding the description of development and works in the banner heading above, which is taken from the application form. Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) does not

contain any provisions for consent to be granted for works retrospectively. Therefore, I have adjusted my description in the formal decision, including removing those words which are not acts of development.

5. The appeal site has notable planning history since 2009, and my attention has been drawn to a previous planning permission and listed building consent at the property¹. These included remedial works to rectify and/or mitigate unauthorised works at the property and proposed works to convert the ground floor of the former stables to living accommodation. This also included the reinstatement of the original eaves height of the rear lean-to (outshot). A condition on the consent required that the height was reinstated to its historic fabric, roof verges to be flush mortar pointed, with no barge boards or projecting timberwork within a period of 9 months.
6. Nevertheless, the proposal the subject of these appeals relates to the regularisation of the works relating to the roof of the bathroom, that being the outshot, and whether they preserve the Grade II listed building and any features or historic interest it possess. Therefore, the matter of enforcement for other works or whether that condition was reasonable and/or necessary at that time, are outside the scope of consideration in the appeals. I have therefore dealt with the appeals on this basis.
7. As the appeal relates to a listed building consent, I have had special regard to section 16(2) of the Act.

Main Issues

8. The main issues are whether the proposal preserves a Grade II listed building, Leach House, attached cottage and outbuilding and any of the features of special architectural or historic interest that it possesses; and whether there is harm to the character and appearance of the wider area, with particular regard to the Peak District National Park.

Reasons

9. The appeal site is located within open countryside to the southeast of Hathersage within the Peak District National Park. It comprises of an L-shaped dwelling of a range of former buildings split into five elements, known as Leach house. The dwelling with outshot and store sited to the rear, and the adjoining former cottage, cart shed and stables.
10. Leach House, the attached cottage and outbuilding was listed in 1985 (Ref: 1311528). The list entry identifies the building as a former Inn and dates from the early 19th century. The accompanying Heritage Statement (HS) identifies that the first phase of construction of a building was to the western part of the dwelling from mid to late 18th century with the reconstruction of the dwelling from the former two cottages taking place late 18th to early 19th century, including the rear outshot. The property appears to have then been extended in the early to mid-19th century, with the coach house, barn and stables including operations as a beerhouse.
11. Given the above, I find that the special interest of the listed building, insofar as it relates to these appeals, to be primarily associated with the historic and architectural interest. Its historic interests is primarily in respect of its age and

¹ NP/DDD/0821/0906 & NP/0821/0905

illustration of early 19th century domestic architecture, a modestly detailed example of the Regency and Victorian period and its unusual mix of functions.

12. The buildings have experienced several changes since the mid-20th century up until now due to changes in ownership which have consisted of repairs and alterations to both the internal and external fabric of the building to facilitate its use as a dwellinghouse. The outshot is one of the earliest parts of the building, although there is evidence of change within the stonework, there is no evidence of alteration to the roof and eaves. The fenestration to the outshot appears to have been replaced at both ground floor and first floor since 2012.
13. The proposal seeks to retain and regularise the raising of the roof form of the outshot to the rear of the building. The works have involved the raising of the eaves height by some 300mm resulting in the internal ceiling height of the bathroom being raised. The former roof fabric was retained and repaired, and the original roof tiles and stone were reused. The existing timber beam repaired and as I saw is left exposed within the internal roof of the bathroom. The HS deems the work to the outshot to be the most appropriate position for a bathroom facility and the increase in head room to be the minimum necessary, and the effect of such a change to the roof pitch to be negligible.
14. The Council contend that the raising of the eaves of the roof has altered the historic form. Resulting in the roof pitch being too shallow and is not in keeping with the pitch of the main house and/or the adjacent single storey lean-to. However, as I saw both the outshot and lean-to remain subservient to the main building and with each other. Therefore, the shallower roof pitch has a neutral impact to the stone slate roof of the house and smaller lean-to. Moreover, I do not consider that the works have accentuated any disparity between the main house building, outshot and smaller lean-to.
15. I accept that the stonework, to a marginal degree does not exactly match the contrast of the existing historic stonework of the outshot. However, I am satisfied that the masonry would weather overtime, resulting in a limited contrast between the original stonework and what has been carried out. In addition, the first-floor window still retains its narrow proportions and casement with dressed stone surround and is an isolated window in this elevation at first floor unlike those to the front of the building sited directly under the roof of the eaves.
16. I have had regard, to the development and works which have already been carried out, granted permission and consent, the appeal proposal, of itself, does not involve the additional loss of original or historic fabric beyond that has already been permitted or undertaken. Consequently, it does not cause harm.
17. Inevitably the works are visible from certain vantages and have changed the rear building from the original with the increase in the height of the eaves. Nevertheless, views are confined to within the appeal site itself, due to the significant amount of tree and vegetation coverage along the boundaries. There are no long-range wider views from outside the site within the wider area and landscape. The development, therefore, is appropriate in terms of its siting and design, which minimises any adverse impacts on the landscape. Thus, it does not harm the character and appearance of the wider area, including the National Park, which is conserved, even when attaching great weight to this matter.

18. Given the above I conclude that, on balance, the proposal preserves the special historic interest of the Grade II listed building, Leach House, the attached cottage and outbuilding, and does not harm the character and appearance of the wider area or detract from the landscape and scenic beauty of the Peak District National Park. This satisfies the requirements of the Act, paragraph 197 of the Framework and it does not conflict with Policies GSP1, GSP3, L3, of the Peak District National Park Local Development Framework, Core Strategy 2011 and Policies DMC3, DMC5, DMC7, DMC8 and DMH7 of the Peak District National Park Development Management Policies, Part 2 of the Local Plan 2019 which seek, among other things, to ensure that development respects, conserves and enhances all valued characteristics of the site and buildings, including the conservation and enhancement of the National Park; and permits development that is of high standard; and does not adversely affect the character and significance of a heritage asset and its setting, including where identified features of value will be conserved and enhanced. As a result, the proposal is in accordance with the development plan.
19. The proposal is also in accordance with Paragraph 176 and Section 16 of the National Planning Policy Framework 2023, which makes clear that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection; and requires great weight should be given to a heritage asset's conservation.
20. I note the Council's assertion that the provision of the roof form within the building would principally be of private benefit to the appellant rather than of wider public benefit. I agree. Nevertheless, in finding an absence of harm the identified special interest and significance of the designated heritage asset, it is not incumbent for me to consider any public benefits that derive from the appeal proposal.

Conditions

21. I have considered whether any conditions would be appropriate in light of the Planning Practice Guidance. As the development and works have been carried out, no conditions are necessary.

Conclusion

22. For the above reasons and having regard to all other matters raised, I conclude that Appeal A and Appeal B should be allowed.

K A Taylor

INSPECTOR