



Appeal Decision

Site visit made on 3 October 2023

by S Pearce BA(Hons) MPlan MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 November 2023

Appeal Ref: APP/M9496/W/23/3317676

Jackson's Croft, Smalldale, Bradwell, Hope Valley S33 9GQ

- 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 Peter Bradwell against the decision of Peak District National Park Authority.
 - The application Ref NP/DDD/0522/0676, dated 17 May 2022, was refused by notice dated 14 September 2022.
 - The development proposed is described as the "reinstatement of field barn at Jackson's Croft, Smalldale".
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description in the banner heading above has been taken from the original planning application form. There is no resolution between the main parties as to whether the proposed development comprises the reinstatement of a building. While the evidence submitted, including historic maps, suggests there was formerly a building within the appeal site, it has since been demolished, with only a concrete pad remaining. I have therefore considered the appeal on this basis.
3. At the time of my site visit, work appeared to be taking place within the site but was not complete. I have considered the appeal based on the development applied for and the plans submitted with it.
4. Amended plans have been submitted with this appeal, which seek to amend the design of the proposed development. As the Council and third parties have not had the opportunity to comment on the amended plans, I cannot be certain that their interests would not be prejudiced if I were to accept them. Therefore, I have determined the appeal based on the plans submitted with the application to the Council and upon which the views of interested parties were sought.
5. Since the determination of this application, the Government published a revised National Planning Policy Framework (the Framework) on 5 September 2023, replacing the version published on 20 July 2021. Those parts of the Framework most relevant to this appeal have not been amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issues

6. The main issues are:

- the effect of the proposed development on the character and appearance of the area, with particular regard to the Peak District National Park (PDNP); and
- whether a functional need for the proposed development has been demonstrated.

Reasons

Character and appearance

7. The appeal site is sited within a relatively small parcel of land, within which lies a modern storage shed and two timber sheds. A large proportion of the site is prominent and visible from a number of public vantage points, having regard to its proximity to the highway and nearby footpaths, low boundary walls and steep, undulating land levels. It is located within the countryside and PDNP, in an area identified as the White Peak Limestone village farmlands Landscape Character Area. The area is rural in character, with relatively open, undulating fields, bounded by low stone walls, which the appeal site contributes towards.
8. Paragraph 176 of the Framework states, among other things, that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues.
9. Policy DME1 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park Adopted May 2019 (DMP) requires, among other things, that new agricultural buildings shall avoid adverse effects of the area's valued characteristics, making use of the least obtrusive location.
10. Within the wider site, edged blue on the submitted site block plan, lies a modern storage shed, with large footprint, and two timber sheds. These existing structures are sited some distance from each other, almost at opposite ends of the wider site. The modern storage shed is visually prominent as a result of its size and elevated position within the site. The two timber sheds, although relatively modest structures, are still partially visible as a result of the land levels within and surrounding the site.
11. The proposed development would be sited broadly centrally within the site, midway between, and some distance from, the modern storage shed and the two timber sheds. Moreover, it would be located very close to the boundary that adjoins the highway and, as a result, would be highly visible.
12. Due to the significant separation between the existing and proposed buildings, the scheme would create a cluttered form of development within this small site. The cumulative effect of development within the site would result in an incongruous layout of development which would be at odds with, and detract from, the open, rural character of the area and the PDNP. The prominence of the proposed development would further exacerbate its visual impact, to the detriment of the character of the area and PDNP.
13. The appellant asserts that the proposal is to reinstate a former building on broadly the same footprint, that they consider to be a lost heritage asset. The

building is no longer standing, and I was therefore unable to undertake any such assessment during my site visit. The National Planning Practice Guidance explains that a substantial majority of buildings have little or no heritage significance, with only a minority meriting identification as a non-designated heritage asset. Furthermore, while noting it was for safety reasons, the former building has since been demolished. If the scheme was to be approved, a new building, albeit one that could use some of the previous materials, would be constructed. Therefore, any heritage arguments in favour of the scheme merit limited weight.

14. Notwithstanding the limited substantive evidence before me, the design of the proposed building seeks to replicate that of the former building and make use of the previous materials. The scheme proposes arched detailing above the doors and arched timber framed Georgian styled windows.
15. My attention has been drawn to examples of stone barns within the vicinity of the appeal site, some which include arched heads to doors. While a feature in the area, the barn has been designed with a blank elevation facing the highway, and the doors would not be prominent as a result.
16. However, there is very little substantive evidence that arched Georgian windows are a prevalent feature in stone barns in the locality. While I have been provided with evidence that such windows were a feature of the former barn, this is anecdotal in nature and I can, therefore, only give this limited weight. The windows would be located on both side elevations of the proposed development. Having regard to the prominent siting, it would be these uncharacteristic features that would be particularly visually prominent and would detract from the character of the area and PDNP.
17. Consequently, the siting and design of the proposed development would result in an incongruous and highly prominent form of development, that would be in stark contrast with the prevailing character of the area and PDNP.
18. I therefore conclude that the scheme would not conserve or enhance the scenic beauty of the PDNP and, as such, the proposal would unacceptably harm the character and appearance of the area and the PDNP. This is contrary to Policies GSP1, GSP2, GSP3 and L1 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document Adopted October 2011 and Policy DME1 of the DMP. Collectively, these seek, among other things, to ensure development is consistent with the National Park's legal purpose and duty, respects, conserves and enhances all valued characteristics of the site and conserves and enhances valued landscape character. It also conflicts with the Framework as set out above.

Functional need

19. DMP Policy DME1 states that new agricultural and forestry buildings will be permitted provided that it is demonstrated the building at the scale proposed is functionally required for that purpose from information provided by an applicant on all the relevant criteria listed within the policy. The list includes such detail as to the location, size of the farm, type of agriculture, stock, existing buildings, uses and demand and that it contributes to the Authority's objectives.

20. The land at Jackson's Croft is the only area of land owned by the appellant in which they could erect a building for their needs. Information submitted in support of the planning application states that the smallholding at Jackson's Croft, which includes the appeal site, extends to 1.7 acres. The appellant rents further land which from the evidence before me is used for rough grazing.
21. Yearly, the appellant has around 10 store cattle and 15 sheep. The proposed development is intended to be utilised as a lambing nursery in the spring, cattle shed during the winter months and for equipment and feed storage.
22. The site is already served by a modern storage shed and two smaller timber sheds. The appellant states the modern storage shed is used to secure their farming machinery, equipment and tools. In the absence of substantive evidence to the contrary and details of the type of equipment and feed that is to be stored within the site, it would appear this existing building currently fulfils the appellant's storage needs. Furthermore, while it has been advised the existing shed is not suitable for livestock, limited substantive evidence has been submitted demonstrating why it could not be adapted for such a use.
23. Very limited information has been submitted which explains the use of the two smaller timber sheds and whether they could fulfil some of the appellant's storage needs.
24. The appellant advises that they have previously been a victim of crime and highlights that farms in rural areas have been targeted. They further highlight that the cost of living crisis is likely to exacerbate this. Therefore, the appellant advises that they need to ensure their security is stepped up to safeguard the business from further losses and the restoration of the barn is required to provide internal space for stock security. However, I have limited substantive evidence in respect of crime levels in the area and that required security measures are not already provided by the existing shed.
25. In the absence of more detailed information, I therefore conclude that the appellant has failed to robustly demonstrate that there is a functional need for the proposed development. The proposal is therefore contrary to DMP Policy DME1, as is outlined above.

Other Matters

26. While the appeal relates to the reinstatement of a field barn for agricultural purposes, I understand the appellant also intends to safeguard the proposal as a memorial and utilise it to educate future generations in the historic development of Smalldale and, by extension, Bradwell. Having regard to the modest amount of development proposed these benefits carry limited weight.
27. The appellant has raised a number of other matters, including historical transformation of the landscape, loss of buildings of importance, the erosion of historic boundaries and fly tipping. While noted, I do not have full details in respect of these issues and cannot be certain therefore of the extent of each of these issues on the wider landscape. In any case, I have determined the appeal on its own merits, based on the evidence before me.
28. Concerns have been raised in respect of the length of time it took for the Council to determine the planning application, that the Parish Council's response should have been sought prior to determining the application and that certain areas are overlooked, and that buildings have been lost. In determining

the appeal, I am required to have regard to the planning merits of the development, and these are therefore matters between the appellant and the Council.

Conclusion

29. For the above reasons, I conclude that the proposed development would conflict with the development plan as a whole. There are no material considerations that indicate I should conclude other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

S Pearce

INSPECTOR