



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/23/3316081

Hallyard House, Bakewell Road, Over Haddon DE45 1HY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73A of the Town and Country Planning Act 1990 for the development of land carried out without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr Tim Walton against the decision of Peak District National Park Authority.
- The application Ref NP/DDD/0722/0897, dated 12 July 2022, was refused by notice dated 6 September 2022.
- The application sought planning permission for the erection of new double garage with internal staircase to loft home office/music room without complying with a condition attached to planning permission Ref NP/DDD/0221/0113, dated 21 June 2021.
- The condition in dispute is No 5 which states that: *Prior to the erection of the external walls of the garage building a sample panel of at least 1.0 metre square shall be constructed on the site. The National Park Authority shall be informed on the completion of the sample panel which shall then be inspected and approved in writing. All subsequent walling shall match the sample panel in terms of stone colour, size, texture, coursing and pointing, subject to whatever reasonable modifications may be specifically required in writing by the Authority. If necessary the Authority shall request the construction of another sample panel incorporating the required modifications.*
- The reason given for the condition is: *In the interests of the character and the appearance of the development.*

Decision

1. The appeal is dismissed.

Preliminary Matter

2. 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.

Background and Main Issue

3. Planning application NP/DDD/0221/0113 established the principle of the development and was granted permission for the erection of a double garage to the rear of Hallyard House, with natural stone cladding to the external walls. Condition 5 of NP/DDDD/0221/0113 sought to secure the precise detail and finish of the approved stone walling. The scheme has been built using timber cladding to the external walls and the appellant is seeking to retain the 'as built' external wall material.

4. The main issue is the effect of the revised material on the character and appearance of the area, with particular regard to the Peak District National Park (PDNP).

Reasons

5. Hallyard House is located in Over Haddon, a small village within the PDNP. The prevailing building materials in this area, including those used in the host property, comprise of natural stone and slate or tile. The overwhelming uniformity of the materials contributes to the character and appearance of the immediate area and the National Park.
6. Paragraph 176 of the Framework requires, 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.
7. The Peak District National Park Design Guide (DG) advises, among other things, that new buildings should ideally be constructed from the same palette of materials used traditionally in the area and, for the most part, this is natural stone for walling. Further, the DG highlights that there is no tradition of external timber boarding in the Peak District, although more recently it has been used on large agricultural sheds, which are viewed as temporary. While noting that some of these buildings have been in situ for some time, these buildings have a different character and scale to domestic development.
8. Although the garage lies to the rear of Hallyard House, there are wider views of the scheme from Bakewell Road, at its junction with the private driveway adjacent to the appeal site, and from the junction with Bakewell Road and New Close Lane. Adjacent vegetation provides some screening, but the development would become more visible during those months the vegetation is not in leaf.
9. Within Over Haddon, the use of timber cladding in domestic buildings is uncommon, with the built domestic form strongly unified by buildings constructed from natural stone. In this context, the introduction of timber cladding in the construction of the domestic garage results in an incongruous building material, at odds with the prevailing built character of the area. As such, it detracts from the character appearance of the area and PDNP.
10. The appellant asserts the timber cladding has aged to a warm grey and therefore complements the colours of the natural environment. The appellant has also confirmed their willingness to discuss the detailed design of the timber cladding with the Council and would be content for a condition to be imposed reflecting this. However, I have found harm in respect of the use of timber cladding in principle in this location. The colour of the timber cladding and imposition of such a condition would not therefore sufficiently overcome this harm, as it would still appear as an incongruous building material in its context.
11. The appellant has submitted a Landscape Appraisal, drawing the use of timber cladding in other schemes to my attention. While I do not have the details of the planning background for each example before me, some of these schemes are not located within Over Haddon and as such are viewed in a different context to the scheme before me. In addition, a number of the examples relate to agricultural buildings, whereby the DG advises the use of timber cladding is

acceptable on such buildings, and, therefore, these examples are not directly comparable.

12. A neighbouring residential property, Manor Barn, has also been drawn to my attention. The circumstances of this case are not directly comparable, as I understand that this was a former stone barn which was converted to a dwelling, with timber cladding detailing, prior to the current development plan being adopted. In any case, I have considered this appeal on its own merits and in the context of a setting where natural stone is overwhelmingly the most common material used for the walls of residential and domestic buildings.
13. For these reasons, I conclude that the proposal would not conserve or enhance landscape and scenic beauty in the PDNP and, as such, the timber cladding has an unacceptably harmful effect on the character and appearance of the area and the PDNP. This is contrary to Policies GSP1, GSP2 and GSP3 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document Adopted October 2011 (CS) and Policies DMC3 and DMH7 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park Adopted May 2019 (DMP). Collectively, these seek, among other things, to ensure development is consistent with the National Park's legal purposes and duty, respects, conserves and enhances all valued characteristics of the site, materials reflect or complement the style and traditions of the locality and do not create an adverse effect on the landscape. It also conflicts with the Framework which states, among other things, development that is not well designed should be refused, especially where it fails to reflect local design policies, and requires great weight to be given to conserving and enhancing landscape and scenic beauty in National Parks.
14. The Council have referred to DMP Policy DMC8 in their reason for refusal. This relates to development within or affecting the setting of a Conservation Area (CA). The site lies outside of Over Haddon CA, some distance from its boundary. Neither party expresses a view regarding any effect on this CA. Having regard to proximity of the development from the Conservation Area and that Hallyard House is an intervening feature, I see no reason to disagree. DMP Policy DMC8 is not therefore determinative in respect of this matter.

Other Matters

15. The DMP, at paragraph 11.1, states the general direction of CS policy is to continue to enable the gradual reduction of aggregates and other land-won minerals. The appellant asserts this is due to the carbon footprint created in the quarrying process and associated amenity harm. The appellant further states that the use of timber cladding is significantly more carbon-efficient than using quarried stone, steel and concrete.
16. The appellant highlights they went to great lengths to demonstrate the environmental credentials of the proposal and how emerging climate change mitigation can be incorporated into modern designs. I understand that the appellant employed a contractor, Wikihouse, who could construct quickly and use up to date, carbon efficient methods, with sustainability and energy efficiency paramount. Documents demonstrating the environmental credentials of the scheme, including Wikihouse Thermal Performance Modelling and Life Cycle Assessment, Total Embodied CO2 Calculations and an Environmental Product Declaration Scotlarch Sawn or Moulded Cladding, have also been submitted in support.

17. The sustainability credentials of the development are commendable and comply with DMP Policy DMMW1. They also comply with the Framework, in particular paragraphs 152 and 154 which seek, among other things, to ensure development meets the challenge of climate change and supports the transition to a low carbon future and avoids increased vulnerability to the range of impacts arising from climate change. However, I have limited substantive evidence before me that demonstrates the longevity of timber cladding is comparable to stone walling. As a result, these benefits are afforded moderate weight, although they do not outweigh the great weight which has to be afforded to conserving and enhancing landscape and scenic beauty in National Parks, as required by paragraph 176 of the Framework.
18. The appellant asserts that the timber cladding serves as a dwelling for a host of valued insects, birds and potentially bats, that would not be accommodated in a newly built and pointed stone facade. I have limited substantive evidence which demonstrates the timber cladding is providing such a habitat. Moreover, I am not persuaded that such benefits could not be provided by other means with stone walling. Therefore, this benefit carries limited weight.
19. I understand that the appellant's business had been affected by the coronavirus pandemic and they needed viable workspace as a matter of urgency in the uncertain times, in the absence of a builder and a protected timescale for the processing of the application to vary the materials. Furthermore, the appellant was out of the country for a period. I have had regard to these matters, but they do not carry sufficient weight to overcome the harm I have identified.

Conclusion

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

S Pearce

INSPECTOR