



Appeal Decision

Site visit made on 22 October 2024

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2024

Appeal Ref: APP/M9496/W/24/3343611

Disused Quarry, Chunal, Glossop, Derbyshire SK13 6JY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) (Act) against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Bennett against the decision of Peak District National Park Authority.
 - The application Ref is NP/HPK/0723/0810.
 - The development proposed is the development of one dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. I consider the main issue is whether the appeal site is an appropriate location for the proposed development having regard to local planning policies.

Reasons

3. The appeal site is situated on the eastern side of Chunal Road within the Peak District National Park in the open countryside. The appeal site is in the Natural Zone which is described by the Authority as the wildest and least developed parts of the National Park.
4. Policy L1 of the Peak District National Park Authority Core Strategy (Core Strategy) states that other than in exceptional circumstances, proposals for development in the Natural Zone will not be permitted. Policy DMC2 of the Development Management Policies Part 2 (DMP) sets out the exceptional circumstances in which development is permissible in the Natural Zone. Exceptional circumstances are those developments where a suitable, more acceptable location cannot be found elsewhere and where the development is essential for the management of the Natural Zone or for the conservation and/or enhancement of the National Park's valued characteristics.
5. The appeal site was formerly a quarry and has bedrock areas that are devoid of vegetation. Although I do not doubt that the appellants' have improved the site, given the length of time since extraction ceased at the quarry, the site has a partly naturalised appearance, particularly around its periphery. As such, it is not a previously developed site as defined by the National Planning Policy Framework (Framework).
6. Whilst DMP Policy DMC2 allows for some development in the Natural Zone, the proposal is for a dwelling which would not form the exceptional circumstances referenced in this policy which relate to the management and

conservation/enhancement of the area. Furthermore, Policy DS1 of the Core Strategy which sets out the overarching development strategy does not identify the proposed dwelling as a form of development that is acceptable in the countryside. Irrespective therefore of the site's location in the Natural Zone, the siting of the appeal site in the countryside results in the proposal being contrary to the Core Strategy in this regard.

7. I therefore conclude that the appeal site is not in an appropriate location for the proposed development having regard to local planning policies. It would conflict with Policies DS1, HC1, L1, GSP1 and GSP2 of the Core Strategy and DMP Policies DMC1 and DMC2.

Other Matters

8. The proposal would have a suitable access and is acceptable in relation to highway matters. The appeal site is not in a conservation area nor is at risk from flooding. No objection has been raised by Natural England in relation to the proposal. These are however neutral considerations and are not matters which weigh in favour of the development.
9. The appellants have stated that the Natural Zone was not mentioned during a site visit. It is however clear that they were aware of the designation from their application submission and in later references by the Authority within the Planning Committee. Whilst the development plan may be under review, and reference has been made to the emerging Local Plan, I have not been made aware of what stage of preparation this is currently at. I have dealt with the appeal based on the adopted development plan and current national policy.
10. The appellants have also set out that the Natural Zone designation is flawed and should be open to challenge when appropriate. It is not however the role of an appeal under Section 78 of the Act to redesignate the Natural Zone.
11. I do not doubt the appellants efforts to engage with the Authority. This matter does not however have a bearing on my decision-making with regards to the main issue, and I can confirm that I have dealt with the appeal on its own merits.

Planning Balance

12. The proposal would provide a sustainable, energy independent lifetime home for the appellants who live locally. It is not however clear why these benefits could not be achieved on a site within or to the edge of an existing settlement. As such, whilst this matter weighs in favour of the development, I attribute moderate weight to it, and given the scale of the proposal, to the ecological improvements proposed.
13. The appellants have also referred to the enhancements that would be made to the despoiled quarry site, but they have also referred to the site being hidden from view. From my observations, other than its periphery, the site is well screened from surrounding vantage points, and I therefore attribute this benefit limited weight.
14. I have found that the appeal site would not be in an appropriate location for the proposed development. This harm would be long lasting and would be contrary to the development plan policies. I ascribe this substantial weight and as such, the benefits would not outweigh the harm identified.

Conclusion

15. I conclude that the proposal would not accord with the development plan as a whole, and there are no other considerations, including the Framework, that indicate that I should take a decision other than in accordance with this. I conclude that the appeal should be dismissed.

F Rafiq

INSPECTOR