



Appeal Decision

Site visit made on 29 October 2024

by H Senior BA (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6 December 2024

Appeal Ref: APP/M9496/W/24/3343453

Land off A625, Froggatt Bridge

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Oliver Wells against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0623/0604.
 - The development proposed is new forestry building.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are a) whether or not a functional need for the proposed development has been satisfactorily demonstrated; and b) its effect on the character and appearance of the area.

Reasons

Need

3. Policy DME1 of the Peak District National Park Development Management Policies 2019 (DMP) sets out that buildings for the use proposed will be permitted provided that it is demonstrated the building at the scale proposed is functionally required for that purpose. It goes on to list specific matters that a given applicant should address. These include the location, size and type of the forestry holding and the use, size and appearance of the building amongst other things.
4. There is a reasonable amount of information in the appellant's submissions to suggest why they require the building. This includes for the storage of machinery for the local forestry operation. That said, there is nothing compelling to support a need for the building in the location proposed. Need extends further than a preference or requirement and specifically to suggest why something has to be where it is proposed and not anywhere else. The appellant does not appear to operate, as far as it has been shown, a specific enterprise which might support the need for the building or set out specifically what is to be stored in it which might justify its size. I appreciate one might want to keep expensive machinery secure and a site safe but there is no compelling case as to why the machinery cannot be stored off site and brought in.

5. Some reference is made to ground conditions and the need for tree felling and protection of the site against what might have happened in the past, but, again, this does not necessarily relate to why the building is needed. There are also other means to secure a site that have not been explored in the appellant's submissions.
6. I can therefore only conclude that the functional need for the building has not been satisfactorily demonstrated, specifically to meet the requirements of the development plan. It would therefore specifically conflict with Policy DME1 which sets out the criteria by which the erection of new buildings associated with agriculture and forestry are considered appropriate for the National Park.

Character and appearance

7. There is some cleared land in the vicinity, but the wider area is densely forested, lush and verdant. It is mostly devoid of physical development, save for some sheds and containers that the proposed building is intended to replace. The Council suggest that these are not lawful which the appellant does not dispute. I have no reason to find otherwise. The largely unaltered feel of the area, as well as the lack of buildings and thus strong evidence of human influence, contributes positively to the character and appearance of the area. The greenness and verdancy are also positive and intrinsic aspects of the landscape qualities of the National Park.
8. The proposed building would not be overly tall but would have a substantial land take. It would be set in an otherwise undeveloped and naturally wooded area and, despite its intended use of natural and locally appropriate materials, would stand out unacceptably in this predominantly unspoilt wider locality, reducing its natural qualities. The surrounding tree cover would offer some screening but not so much to make the appeal scheme acceptable in the above context. In any event, complete obscurity of the building would not make up for the negative effect it would have on the character of the area.
9. The proposed development would therefore fail to satisfy the requirements of Policies GSP1, GPS3 and L1 of the Core Strategy Development Plan Document (2011) (CS) and policies DMC3, DMC13 and DME1 of the DMP which, together and amongst other things, permits development of a high standard which enhances the natural beauty, quality and visual amenity of the landscape.

Other Matter

10. There are letters of support for the proposal. This does not however absolve me from making an assessment of its effect in regard to the main issues that have been identified. I have done so above and found it to conflict with the development plan for the reasons I have given.

Conclusion

11. The proposal conflicts with the development plan and material considerations do not attract sufficient weight to indicate that the appeal should be decided other than in accordance with it. The appeal should thus be dismissed.

H Senior

INSPECTOR