



Appeal Decision

Site visit made on 18 February 2025

by **R Gee BA (Hons) Dip TP PGCert UD MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 20 March 2025

Appeal Ref: APP/M9496/W/24/3352218

Lower Damgate Farm, Stanshope, Ashbourne DE6 2AD

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mrs C Wilderspin against the decision of Peak District National Park Authority.
 - The application ref NP/SM/0624/0619 was approved on 2 August 2024 and planning permission was granted subject to conditions.
 - The development permitted is change of use of existing agricultural land to facilitate off-street parking provision associated with the Lower Damgate Farm complex.
 - The conditions in dispute are Nos 4 and 6 which state that:
No 4: The use hereby permitted shall not be carried out on more than 28 days in total in any calendar year.
No 6: No more than 28 vehicles shall be parked on the field (defined by condition 3) at any time.
 - The reasons given for the conditions are: The National Peak Authority wishes to retain control over the development in order to protect the character and appearance of the site and the surrounding landscape and to ensure that the development provides limited parking required for operational purposes.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Following submission of the appeal, the revised National Planning Policy Framework (the Framework) was published on 12 December 2024 and updated on 7 February 2025. The parts of the Framework most relevant to the appeal have not substantively changed from the previous version. As a result, I consider that there is no requirement for me to seek further submissions in respect of these matters, and I am satisfied that no party's interests would be prejudiced by my taking this approach.

Background and Main Issue

3. The original permission related to the change of use of existing agricultural land to facilitate off-street parking provision in association with the Lower Damgate Farm complex¹. A further application for the removal or variation of condition 8 of this permission was granted². The appeal before me is seeking to remove Condition No 4 and vary Condition No 6, two conditions that were not previously sought to be varied.

¹ Application reference NP/SM/0224/0142

² Application reference NP/SM/0624/0619

4. The main issue is whether Condition Nos 4 and 6 are reasonable and necessary in the interests of protecting the character and appearance of the site and surrounding landscape.

Reasons

Character and appearance

5. The appeal site comprises a grassed field contained by dry stone walling. It is positioned to the north and west of existing buildings which form part of the Lower Damgate Farm. The appeal site is in a prominent and open position and is visible from the highway.
6. The appeal site is located within the Peak District National Park (PDNP). Paragraph 189 of the Framework states 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 surrounding landscape is largely fields defined by walling, interspersed with trees, and the occasional house or farmstead, characterised as Limestone Plateau Pastures in the Authority's Landscape Character Assessment³. The valued characteristics of this countryside setting includes its scenic beauty and its tranquillity.
8. It is understood that Lower Damgate Farm complex includes a private dwellinghouse, a cluster of holiday cottages, a barn used for events, including weddings, and a series of agricultural fields. Parking provision is likely to be substandard depending upon the occupancy of the buildings on site. Nevertheless, the intensification in the use of the field, in respect of both the number of vehicles and days in use, as suggested would materially change the character and appearance of the surrounding area to one of a more urbanised nature.
9. Due to the presence of low boundary walls, and its location proximate to the adjacent narrow rural road, the appeal site is prominent and the greater spread of vehicles, and for a greater period of time, would be conspicuous within the landscape. This would erode, and be detrimental to, the intrinsic value and character of the rural landscape.
10. Furthermore, the landscape surrounding the application site is a peaceful rural environment with open distant views to surrounding higher ground. Parked vehicles would be visible even if additional planting were to be provided. Consequently, the proposal would affect the wider landscape character.
11. The appellant refers to the fallback, prior to the issuing of the permission, of utilising an existing field gate access to facilitate an unlimited amount of parking in larger fields a short distance to the north for 28 days in any calendar year. Be that as it may, the evidence indicates that the permission removed permitted development rights for these areas of land for unrestricted levels of temporary parking. I am therefore not persuaded that there is a realistic fall-back position in terms of development under permitted development that merits positive weight towards granting the appeal proposal.

³ Peak District Landscape Character Assessment 2: White Peak July 2009

12. For the reasons stated, the proposal would have an adverse effect the landscape character and scenic beauty of the PDNP. Conditions 4 and 6 are therefore reasonable and necessary in the interests of protecting the character and appearance of the site and surrounding landscape.
13. The proposal would therefore conflict with policies E2, GSP2, GSP3, L1, L3 and T7 of the Peak District National Park Local Development Framework: Core Strategy Development Plan Document – Adopted October 2011 and policies DMC3 and DMT6 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park – Adopted May 2019. Collectively, amongst other things, these policies seek to manage parking to ensure the location and nature of parking does not exceed environmental capacity and support development where they conserve and enhance the valued landscape character. The proposal would also conflict with the Framework, which requires the protection of valued landscapes, and states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.

Other Matters

14. I recognise the rural location of the appeal site and the limitations in respect of public transport and public parking facilities within the vicinity of the site. The appellant submits that the wedding licence could enable the venue to host a significant number of guests. However, the evidence before indicates that the planning permission is limited by clear parameters. Furthermore, I am not satisfied that the appeal proposal is the only means of addressing a shortfall of parking to serve the site.
15. My attention has been drawn to a Travel Plan⁴ that was conditioned as part of the planning permission for the wedding venue. This document recognised the limitations of the site in terms of parking and sought to manage the use of the site and associated parking in a number of ways. The appellant states that the Travel Plan is not fit for purpose or realistically enforceable. However, this document does not form part of the appeal proposal and, in any event, compliance with planning approvals falls outside the remit of my decision and is a matter for the Council.
16. The economic benefits that would be associated with the diversification of the farm business are noted. I also note the appellant's willingness to accept a planning condition to restrict the number of vehicles. However, these factors would not outweigh or overcome the harm to the landscape that I have identified above, to which I must attach great weight.
17. I have had special regard to the setting of the Grade II listed building known as Lower Damgate Farmhouse and attached stable and loft (List Entry Number 1374577). The statutory list description identifies it as early to mid-18th century of coursed limestone rubble with ashlar dressings, clay tile roof with coped verges on kneelers and ridge continuous over house and stable block. The significance of the listed building is derived in part from its age and architectural features. The appeal site lies within the rural surrounds of the listed building. It is recognised that the setting of the listed building has clearly changed over time. Nevertheless, the location of the appeal scheme and the nature of the proposals relative to the listed building leads me to the view that its setting would be preserved.

⁴ Appendix 2 of the Appellant's Statement: Travel Plan: Ken Wainman Associates March 2016

Conclusion

18. The proposal conflicts with the development plan and the material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I therefore conclude that the appeal should be dismissed.

R. Gee

INSPECTOR