



Appeal Decision

Site visit made on 21 March 2025

by R Major BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7th April 2025

Appeal Ref: APP/M9496/W/24/3352304

The Old School, Main Street, Great Longstone DE45 1TZ

- 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 Andrew Wilson against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0524/0534.
 - The development proposed is change of use of The Old School to dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Subsequent to the Authority issuing its decision the revised National Planning Policy Framework (the Framework) was published on 12 December 2024. The main parties were given the opportunity to comment on the implications of the revised Framework in respect of the appeal.
3. Within their Statement of Case the Authority has advised that the reference to Policy HC2 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document – Adopted 2011 (CS) within reasons for refusal 1 and 2 on the Decision Notice was an error. The Authority has confirmed that these reasons for refusal should refer to CS Policy HC4 by which the application was assessed against within the Case Officer's Report. The appellant has had an opportunity to comment on this matter during the appeal procedure and therefore neither party would be prejudiced by my consideration of the appeal scheme against CS Policy HC4.
4. My attention has been drawn to a representation in support of the appeal proposal that was submitted by an interested party during the planning application stage. A copy of this representation has been provided within the appellant's appeal documents. The Authority has confirmed that an administration error meant that this representation was not considered by Officers when determining the planning application. The Authority has however commented that upon review of this representation during the appeal process, neither the interested party nor the appellant were prejudiced by it not being considered at the time the planning application was determined. I have taken this representation submitted in support of the proposal into consideration in my determination of this appeal.

5. The appeal site is located within the Peak District National Park (PDNP). Under the National Parks and Access to the Countryside Act 1949 (the National Parks Act), the two purposes of National Parks are to:
- conserve and enhance the natural beauty, wildlife and cultural heritage; and
 - promote opportunities for the understanding and enjoyment of the special qualities of them by the public.
6. The National Parks Act requires me to further these purposes.

Main Issues

7. The main issues are:
- whether the proposed development would result in an unacceptable loss of a community facility;
 - the effect of the proposal on protected species; and
 - the effect of the proposal on the character and appearance of the area, including the PDNP, and the extent to which it would preserve or enhance the character or appearance of the Great Longstone Conservation Area and the effect on a non-designated heritage asset (NDHA).

Reasons

Community facility

Planning Policy

8. CS Policy HC4 relates to the provision and retention of community services and facilities. Criterion (c) of this policy requires that proposals seeking to change the use of buildings which provide community services and facilities must demonstrate the service and facility is either no longer needed, is available elsewhere in the settlement or can no longer be viable. The policy goes on to state that wherever possible, the new use must either meet another community need or offer an alternative community benefit such as social housing, and that evidence of reasonable attempts to secure such a use must be provided before any other use is permitted.
9. Development Management Policies Part 2 of the Local Plan for the Peak District National Park – Adopted 2019 (DMP) Policy DMS2 relates to the change of use of shops, community services and facilities. This policy requires applications for the change of use from a community service/facility to a non-community use to provide evidence of reasonable attempts to sell or let the community service/facility as a going concern. This policy then lists the evidence required which includes a viability assessment; marketing for alternative community uses or facilities for a period of at least 12-months; marketing the property through the Economic Development Team for a period of 12- months; and details of contact made with the Town and Parish Council's to establish the needs existing in the local area.

The Community Facility

10. The appeal relates to a currently vacant building which, according to the submissions, was previously used as a school dating back to 1878 and more recently as a pre-school before this use ceased in 2022. The subtext to both CS Policy HC4 and DMP

Policy DMS2 define community services and facilities as those within Use Class D1¹, amongst other uses, and CS Policy HC4 specifically refers to children's nurseries and schools as a community service. The appeal building therefore has an established history as a community facility / service within the village and the appeal proposal seeks to change the use of this building to a residential dwelling.

11. On the evidence before me I accept that the property has been vacant since 2022. However, the submission includes very limited or no details as to why the previous community use of the building as a pre-school is no longer needed, why it is no longer viable, or how the need for pre-school care is being met elsewhere. Furthermore, I have no evidence before me that the site has been marketed for an alternative community use with a commercial property agent for a period of 12-months. Consequently, I find that the submission does not include sufficient information to satisfy the above-mentioned requirements of CS Policy HC4 and DMP Policy DMS2.
12. In coming to this view, I acknowledge the building has not been registered as an "Asset of Community Value", however this is not a requirement of CS Policy HC4 and DMP Policy DMS2. Furthermore, whilst the appellant contends that the Parish Council were aware of the previous owner's intention to sell the building before it was purchased by the appellant, even if this was the case the Parish Council are not the only party that can operate a community facility or service from the building.
13. My attention has been drawn to the village already having a village hall, however limited information has been provided in respect of its location, size and its use. Nevertheless, community facilities and uses are not limited to village halls. I also note the appellant's comments that there is no collective will from the village to invest time and money in the building, however no substantive evidence has been provided to substantiate this claim.
14. The appellant also states that the building is in private ownership, and it was in the interest of the previous owner to secure the best price as per the valuation made by a qualified surveyor. I am not however persuaded by these comments as a building or site does not have to be in public ownership to be of benefit to the community or a community facility. Additionally, I have not been provided with a copy of the surveyor's valuation. It is therefore unclear whether the value that the property was marketed for was reflective of its use as a community facility, and as mentioned above no evidence has been provided to demonstrate that the property was marketed for a community use for a period of 12-months.
15. In view of all the above, I do not find that the submitted evidence is sufficient to demonstrate that the appeal site is no longer required as a community facility, and that it cannot be retained as a community facility, either within its existing, or an alternative, community use.
16. Consequently, I conclude that the proposal would result in the unacceptable loss of a community facility. It would therefore conflict with CS Policy HC4 and DMP Policy DMS2 which together seek, among other things, to protect community facilities unless it is demonstrated and evidenced that reasonable attempts have been made to sell or let the building for an alternative community facility for a period of at least 12-months; and that the community facility is no longer needed; is available elsewhere; or is no longer viable.

¹ Now Use Class F 'Local Community and Learning' in the Town and Country Planning (Use Classes) Order 1987 (as amended)

Protected Species

17. The Conservation of Habitats and Species Regulations 2017 (as amended) (Habitat Regulations) impose a duty on me to consider whether European Protected Species (EPS) would be affected by the development. All bat species are designated and protected as EPS and are protected under the Habitat Regulations.
18. The Government Guidance '*Bats: advice for making decisions*' states that conversion proposals could affect a bat roost in a building and provides a list of characteristics and features a building may have where a survey should be asked for. This list includes where a building has cracks, crevices and small openings. Additionally, the Authority has a '*Protected Species Form*' which advises that an appropriate protected species survey by a suitably qualified ecologist will normally be required for changes to traditional buildings built before 1939.
19. The appeal building was constructed in the 19th Century and is of a traditional stone design. It has been vacant since 2022 and I observed on site that there were a number of small cracks and openings, particularly where the stone wall meets the roof on the south facing gable elevation. The appeal proposal involves internal alterations to the building, including works to create a mezzanine floor within the roof space. Furthermore, I have been provided with comments from the Authority's Ecologist who advises that the appeal building is of a type, and within a setting, which would require a bat survey assessment.
20. As such, on the evidence before me, I cannot rule out that the appeal building has the potential to be used as a habitat by bats. Consequently, I find that a Preliminary Ecological Assessment, undertaken by a suitably qualified individual, is required to establish the level of risk of bats roosting within the building and to determine whether any further surveys would be required. Without this information I am unable to form a judgement on the potential impact of the proposal on this EPS.
21. I note the appellant has commented on the lack of dialogue from the Authority, stating that if investigation works were required, they would have been instructed immediately. Whilst I understand the appellant's frustration on this matter, I must determine the appeal based on the information and evidence before me, which does not include Preliminary Ecological Assessment.
22. Furthermore, Circular 06/2005: Biodiversity and Geological Conservation states that it is essential that the presence or otherwise of protected species, and the extent to which they may be affected by development, is established before planning permission is granted. It would therefore not be appropriate to apply a condition requiring ecological survey work to be carried out.
23. As such, I conclude there is insufficient information to adequately demonstrate that the proposed development would not cause harm to protected species. The proposal would therefore conflict with the protected species aims of CS Policy L2 and DMP Policies DMC11 and DMC12 which together require, among other things that applicants provide adequate or accurate detailed information to show the impacts of the development on species and that development must conserve species of biodiversity importance. The proposal would also not accord with the requirement of the National Parks Act for me to further the purposes of conserving and enhancing wildlife within the PDNP.

Character and appearance

24. Paragraph 189 of the Framework states that great weight should be given to conserving and enhancing landscape and scenic beauty in the National Parks.
25. As the appeal site is located within the Great Longstone Conservation Area (CA), the Planning (Listed Buildings and Conservation Areas) Act 1990 (the LBCA Act) requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. The significance of the CA in part derives from the traditional characteristics of this rural village, consisting of a main through road (Main Street) and various narrower highways leading off it. The architectural unity provided by buildings of a similar scale, as well as the use of rubble limestone and gritstone detailing within most buildings, adds to the character and appearance of the CA and contributes to the scenic beauty of the PDNP.
26. The attractive appeal property is characteristic of the design of properties within the CA, with its natural stone construction, stone quoins and stone slate roof. The appeal property occupies an elevated position above the highway of Main Street and has a gable elevation facing towards a small village green area. This gable elevation contains a large window with surrounding stone detailing and mullions, and a date stone above. The Authority has identified the appeal property as a NDHA, and I find the building makes a positive contribution to the character and appearance of the CA.
27. Notwithstanding the unacceptable loss of the community facility which has been discussed in detail above, the proposed residential use of the appeal building would be in keeping with surrounding uses within this rural village and would not harm the character of the CA.
28. The submitted plans show that the proposed change of use would involve external works consisting of the replacement of the existing timber framed windows with aluminium framed windows and the insertion of two conservation style rooflights. I observed on site that due to their condition a number of window frames within the building were in need of replacement. As such, had I been minded to allow this appeal a suitably worded condition could have been imposed to ensure that the precise details of the replacement window frames was submitted to and agreed by the Authority prior to installation.
29. With regard to the proposed rooflights, I observed that rooflights are not a characteristic of the CA and the small number that I did see were located within the roof of single storey extensions, and thus were not highly prominent. The proposed rooflights shown to be installed within the roof of the appeal property would be visible from public vantage points within the CA, with the proposed rooflight in the east facing elevation of the roof particularly prominent. As such, I find that the proposed rooflights would detract from the simple and traditional qualities of this NDHA, and cause some harm to the significance of the CA.
30. Notwithstanding the above however, within their Appeal Statement the appellant has suggested that the rooflights could be removed from the scheme in their entirety. I also acknowledge the Authority has suggested a planning condition which would prevent the rooflights shown on the submitted plans from being installed. Furthermore, I note the removal of these rooflights would not result in unacceptable living conditions for future occupiers of the appeal property as natural

light, and an outlook, would be provided to the proposed mezzanine floor through the large window in the front elevation of the building.

31. As such, whilst I consider the proposed rooflights would have a harmful impact upon the appeal property and the CA, had I been minded to allow the appeal a suitably worded planning condition could have been imposed which prevents the installation of these proposed rooflights within the building.
32. I note the Authority's Officer Report also raises concerns in respect of the installation of an internal staircase and the insertion of the mezzanine floor. However, the proposed mezzanine floor would be situated towards the rear of the building and would not therefore have a harmful impact upon the large window in the front elevation of the building. Furthermore, I do not find that the installation of an internal staircase would be a harmful feature. The proposed internal alterations would therefore not result in any harm to the character or appearance of the CA, or harm the significance of the NDHA.
33. I acknowledge the appellant did not provide a Heritage Statement which is contrary to specific requirements within DMP Policies DMC5 and DMC8. However, for the reasons given, I find the residential use of the building would be in keeping with the character of the CA. Additionally, had I been minded to allow the appeal, subject to the imposition of conditions removing the rooflights from the appeal proposal and requiring the details of the replacement window frames to be agreed with the Authority, the proposal would not result in any external alterations that would affect the appearance of the CA, or harm the significance of the NDHA. Consequently, subject to these conditions, I find no conflict with the overall aims of DMP Policies DMC5 and DMC8 which seek to conserve the significance of heritage assets.
34. In view of all the above, subject to the imposition of the above-mentioned planning conditions, I conclude that the proposal would not have a harmful impact upon the significance of this NDHA and would preserve the character and appearance of the CA, to which the LBCA Act requires special attention to be paid to the desirability of its preservation. The proposal would also not conflict with the requirement in the National Parks Act for me to further the purposes of conserving and enhancing the natural beauty of the PDNP.
35. As such, I conclude that subject to conditions the development would not conflict with CS Policies GSP2, GSP3 and L3, and DMP Policies DMC5, DMC8 and DMC10 where these policies together seek to ensure, among other things, that developments respect and conserve the valued characteristics of the site, buildings and area; conserve the significance of historic assets and their settings; and can accommodate a new use without changes that adversely affect the character of the heritage asset. The proposal would also accord with the relevant provisions of the Framework, which have similar aims, as well as paragraph 189 of the Framework which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
36. Within its Statement of Case the Authority has stated that CS Policy HC4 should have been referenced in the reason for refusal relating to this main issue. This policy relates to the provision and retention of community services and facilities, and does not specifically refer to character and appearance in respect of the change of use of building or sites which provide community services and facilities. Therefore, I find that CS Policy HC4 is not determinative in relation to this main issue.

Other Matters

37. The proposed development would not provide any off-street parking provision for future occupiers of the dwelling and the additional demand for parking that would arise from the proposal has been raised as a concern by some interested parties. Conversely, it has been suggested by the appellant and an interested party that the proposed residential use of the property, in comparison to its previous use as a pre-school, would result in an improvement to the on-street parking situation in the vicinity of the appeal site.
38. I note that both the Highway Officer and the Authority have raised no objection to the proposal on highway safety or car parking grounds, and I have been provided with no detailed information in respect of the existing and proposed parking pressures in this area from any party.
39. I also note that an interested party has commented that the proposed dwelling would not meet the nationally described space standards² for a two-bedroom, two-storey dwelling.
40. Had I been otherwise minded to allow this appeal I would have gone back to both the main parties and sought comments in respect of these matters. However, as I am dismissing the appeal on the main issues relating to the unacceptable loss of a community facility and the potential impact on protected species, I have not pursued these matters further.

Planning balance

41. The proposed residential use of the appeal property would make a positive contribution to the Authority's housing land supply. Nevertheless, the social benefits arising from the provision of one dwelling would be limited.
42. Economic benefits would arise from the proposal, including contributions to the local economy during the conversion phase of the development. These however would be short term benefits. Further economic benefits would arise from additional spending in the area by future occupants of the dwelling. Cumulatively, given the scale of development the economic support to the area arising from the appeal proposal would be relatively small. I therefore attach limited weight in respect of the economic benefits.
43. The appellant has expressed their desire to create a building that is as energy efficient as possible, and an Energy Statement has been provided which details energy efficiency measures to be incorporated into the building. Whilst these measures are noted, no specific details of the existing energy rating of the building, or details of the energy efficiency rating that the proposed development would achieve, have been provided. This therefore limits the weight I can attribute to this matter in favour of the appeal proposal at this stage.
44. The proposal would provide an opportunity to increase the overall biodiversity of the site, including the provision of new vegetation planting, pollinator habitats and both bird and bat boxes. However, given the scale of the development site, I attribute this matter limited weight in favour of the appeal.
45. The appellant has made reference to the appeal proposal enabling them to assume responsibility for land and animals they own on agricultural land approximately one mile from the village. The appeal proposal has not however been submitted as a rural workers

² Technical housing standards – nationally described space standard (March 2015)

dwelling and I have been provided with no evidence to demonstrate that the development is required to meet the essential need of a rural worker. I therefore attribute this matter very limited weight in favour of the appeal scheme.

46. It is stated that without repair and maintenance work the property will continue to deteriorate. However, no specific details of the condition of the building have been provided and it has not been demonstrated the appeal proposal is the only means to undertake any required repair and maintenance work. This therefore limits the weight I can attribute to this matter in favour of the appeal proposal.
47. In view of the above, whilst I have found that there would be some limited benefits arising from the proposal, cumulatively these benefits do not outweigh the harms I have identified and the conflict I have found with the development plan.

Conclusion

48. I conclude that subject to the imposition of suitably worded planning conditions the appeal proposal would not have a harmful impact upon the on the character and appearance of this NDHA and the surrounding area, including the PDNP. It would also preserve the character and appearance of the CA. However, for the reasons given, I have concluded that the proposal would result in the unacceptable loss of a community facility and there is insufficient information to adequately demonstrate the proposed development would not cause harm to protected species.
49. The proposal therefore conflicts with the development plan taken as a whole, as well as the statutory duty within the National Parks Act for me to further the purposes of conserving and enhancing wildlife within the PDNP. There are no material considerations, including the Framework, to suggest the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, the appeal is dismissed.

R Major

INSPECTOR