



Appeal Decision

Site visit made on 18 February 2025

by **D Ellis MPlan MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 22 April 2025

Appeal Ref: APP/M9496/D/24/3351162

Lathkill View, Church Street, Monyash, Derbyshire DE45 1JH

- 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 Mrs Camilla Shearring against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0324/0306.
 - The development proposed is to heighten the stone wall between the garden and the road from 1 metre to 1.82 metres.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development on the application form includes the reasoning behind the proposal. As these reasons are not acts of development and in the interests of conciseness, I have removed these elements from the description of development in the banner heading above.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area and the setting of the Monyash Conservation Area (CA).

Reasons

4. The appeal site is on the edge of the village and immediately adjacent to the CA. Stone walls are prevalent in the CA and the surrounding countryside of the Peak District National Park. The walls in the village have a variety of heights whilst those in the surrounding fields are of a consistent lower height. Overall, the stone walls are attractive and distinctive features which contribute positively to the character and appearance of the area and the significance of the CA as a heritage asset.
5. The site itself comprises the rear garden of Lathkill View which extends towards the countryside, and as such marks the transition between the settlement and the open farmland beyond. The proposal would see a substantial increase in height to a large section of the existing stone wall, which would be at odds with the modest and consistent height of the walls in the wider landscape. While there are taller walls in the settlement some of these, such as the one between the Swallows Nest and the Village Hall, are situated between two buildings and thus are seen in a different context to the appeal site which lies at the sensitive interface between the built-up area and open countryside.

6. The altered wall would be a discordant feature in this particular location. Its height would be very apparent in views into the CA and it would be visually prominent due to its proximity to the road. As a consequence, the wall would detrimentally affect the manner in which the CA is experienced and harm the significance of the heritage asset through development in its setting. The harm would be localised and consequently, in the context of the National Planning Policy Framework (the Framework), the harm to the significance of the CA as a whole would be less than substantial. Nevertheless, any harm attracts considerable weight and importance. In such circumstances, the Framework provides that the harm should be weighed against the public benefits of the proposal.
7. The development would provide improved security and privacy for the appellant and future occupants of Lathkill View, including a safer environment for children and pets. While this is largely a private benefit, it would result in an enhancement to the quality of the housing stock in the village. However, as only one household would benefit and as it has not been demonstrated that these improvements could be achieved in a way that does not cause the harm identified above, I attach limited weight to the public benefits to the scheme. They would not outweigh the harm I have found above.
8. Accordingly, I conclude that the proposal would cause harm to the character and appearance of the area and the setting of the CA. It would therefore conflict with Policies GSP1 and GSP3 of the Core Strategy Development Plan Document (2011) (CS) and Policies DMC3 and DMH7 of the Development Management Policies Part 2 of the Local Plan (2019) (LP) which all seek, amongst other things, to respect and conserve the character and appearance of the area, including with regards to scale and height. The proposal would also fail to comply with CS Policy L3 and LP Policy DMC8 insofar as these policies protect the setting of and views into conservation areas.

Other Matters

9. On the application form the appellant refers to the habitat for toads and frogs, however I have no details before me regarding the presence of toads and frogs or how a taller wall would improve their habitat. I therefore afford this matter limited weight which would not outweigh the harm identified above.

Conclusion

10. 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. The appeal is therefore dismissed.

D Ellis

INSPECTOR