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## Appeal Decision

Site visit made on 28 April 2025

by **L Fern BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 01 JULY 2025

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**Appeal Ref: APP/M9496/W/24/3356834**

**Garage/store, land to rear of former RBS, Main Road, Hathersage S32 1BB**

- 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 Simon Gedye of Studio Gedye Limited against the decision of the Council of the Peak District National Park Authority.
  - The application Ref is NP/DDD/0724/0684.
  - The development proposed is reuse of garage/store as a mixed-use building with flexible space that can be purposed for residential and business use.
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### Decision

1. The appeal is dismissed.

### Preliminary Matters

2. During the appeal process, the appellant confirmed that a small part of the site had recently changed ownership. The appellant served the appropriate notice on the new owner, and I am content that no party has been disadvantaged by this change in circumstances.
3. Revised plans were submitted in association with the above partial change in ownership that sought the provision of an additional car parking space in exchange for soft landscaping that featured on the original plans. The Council based its decision on a specified number of spaces and has not had sight of the revised plans or indeed had the opportunity to comment on them and the appeal process is not generally the place to amend proposals, and therefore in the interests of fairness I cannot accept them. I have based my decision on the plans that were before the Council of the Peak District National Park Authority (the Council) at the time their decision was made.

### Main Issues

4. The main issues are:
  - the effect of the proposed development on the character and appearance of the area, affording special attention to the Hathersage Conservation Area (the HCA);
  - whether the proposed development is required to achieve the conservation or enhancement of Hathersage as a settlement within the Peak District National Park (the National Park); and
  - whether the proposed business use takes up opportunities for enhancement in the context of its location within the National Park.

## Reasons

### *Character and appearance, and heritage*

5. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of the HCA.
6. Hathersage is a settlement within the Derbyshire Dales, towards the north-eastern boundary of the Peak District National Park and set within the valley of the River Derwent. The HCA broadly follows the pattern of development along Main Road and School Lane.
7. The special interest and significance of the HCA derives from its setting within the cleft of The Dale, surrounded by hills, which can be readily seen above and between buildings. The settlement was originally a farming community with dramatic expansion to an industrial settlement with mills and metal working. The predominant building material is millstone grit, which unifies the settlement.
8. The appeal site sits to the rear of a prominent 19<sup>th</sup> century stone building fronting onto Main Road at the heart of the settlement. Despite its backland position, a well-used public footpath runs through the site from Main Road, and the site can be viewed from the publicly accessible car park of The George public house and the garden space of the adjacent tearooms. It is therefore visible to passers-by and patrons of the named businesses.
9. There has been a building of some description on the site for in the region of 130 years. However, numerous changes have been made to its footprint over time. The site is currently occupied by a single storey metal clad building that is used as a garage and store and is in a poor state of repair. It is unknown whether the current building has any historic relationship to the industrial expansion of Hathersage or whether its form is similar in design and materials to previous iterations. Furthermore, it appears as an anomaly within its context.
10. However, its simple design, low number of windows and glazed doors, and the presence of dark painted garage doors that blend into the black metal cladding of the walls and roof make it utilitarian and light industrial in appearance and reinforce its position as a secondary building to the rear of those more prominent stone buildings fronting onto Main Road. Due to this subservient appearance, and despite its poor state of repair, the existing building has a neutral effect on the character and appearance of the HCA.
11. The appeal building is not identified as an important unlisted structure in the Hathersage Conservation Area Appraisal (the HCAA) and there is no reference within the HCAA to similar buildings within the settlement or their presence historically. Overall, I find that the existing garage / store cannot reasonably be described as a non-designated heritage asset for the purposes of this appeal.
12. The proposal is to convert and extend the structure to enable a change to residential and business use. Although the proposal appears to constitute a conversion of the existing building, only the very basic structure would be maintained, with most of the outer skin replaced and the building structure heavily supplemented. The significant alterations would include an increase in ridge height and alterations to the slope of the roof, the replacement of the garage doors with a

- large amount of glazing set behind timber louvres, the introduction of glazed pedestrian doors with fixed glazing to the side and roof lights to the rear, and an extension to the side with hipped roof design.
13. Despite the large front facing windows being recessed and partially obscured by timber louvres, the significant amount of glazing proposed in doors and windows would markedly alter the simple and utilitarian appearance and character of the building. The louvres are not a local design feature.
  14. Furthermore, while being modest in size, the proposed side extension includes a hipped roof design and rooflight with upstand, that are not features that are prevalent within the surrounding area. The new roof form and detailing would be significantly at odds with the design of the surrounding structures and the proposal would appear prominent and incongruous in its context.
  15. I appreciate that the building may have some connection with Hathersage's industrial past. Even so, situated immediately adjacent to a public footpath, the proposed building would be clearly visible within the public domain and would be a conspicuous element of views from the footpath and the outdoor spaces of adjacent publicly accessible businesses. Within such a prominent position, the form of the proposal, its materials and detailing would not be sensitive to the defining characteristics of the local area and would be detrimental to the character and appearance of the HCA.
  16. For the reasons given above and within the terms of the National Planning Policy Framework (the Framework), the proposed development would cause less than substantial harm to the significance of the HCA as a heritage asset.
  17. Paragraph 215 of the Framework states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (in this case the HCA), this harm should be weighed against the public benefits of the proposal.
  18. The partial re-use of an existing building and minimising carbon emissions by utilising modern methods of construction and the use of sustainably sourced materials are benefits of the proposed development.
  19. There are also benefits associated with the proposal in terms of the creation of a combined residential and business unit with the potential to reduce travel accordingly, the contribution of an additional dwelling and business space in an accessible location towards housing and employment supply, the employment of workers during the construction phase, and the contributions that would be made to the local economy by any new residents and potential employees of the business.
  20. Accordingly, I attribute moderate weight to the above benefits in the context of the proposal bringing forward only a single unit. These benefits do not outweigh the less than substantial harm the proposal would have on the significance of the HCA as a designated heritage asset to which I am required to give great weight. The proposal would therefore conflict with the Framework.
  21. The proposal would fail to preserve or enhance the character or appearance of the HCA in conflict with Policies GSP1, GSP2, GSP3 and L3 of the Peak District National Park Core Strategy (2011) (the CS) and Policies DMC3, DMC5, DMC8 and DME8 of the Peak District Development Management Policies document

(2019) (the DMP). These policies seek to, amongst other matters, conserve and where appropriate enhance the significance of historic assets and only in exceptional circumstances permit development that is likely to cause harm to the significance of those historic assets or their setting.

### *Conservation and Enhancement of the Settlement*

22. Policy DS1 of the CS sets out a development strategy to support the effective conservation and enhancement of the Peak District National Park. The policy specifies the forms of development that are acceptable in principle, including other development and alternative uses needed to secure effective conservation and enhancement.
23. Similarly, Policy HC1 of the CS relates to housing provision and confirms that new housing, whether newly built or from the re-use of an existing building, can be accepted in certain circumstances, one being where the development is required to achieve conservation or enhancement in the settlements listed in Policy DS1, which includes Hathersage.
24. In this case, the existing garage / store building, despite being located adjacent to a public footpath, is set to the rear of the principal buildings on Main Road, which provide the main focal point of the settlement. The existing building and its use as a garage and store are utilitarian in nature and serve a functional purpose. Whilst its condition and appearance could be improved, the existing structure does not detract from the overall settlement and its redevelopment is therefore not required to secure conservation and enhancement of the National Park.
25. For the above reasons, the proposed development is not required to achieve the conservation or enhancement of the settlement of Hathersage or the National Park and is therefore contrary to Policies DS1 and HC1 of the CS and Policy DMH6 of the DMP.

### *Business Use*

26. Policy E1 of the CS supports new sites and buildings for business development of a scale consistent with the needs of the local population within the named settlements in Policy DS1 of the CS, including Hathersage. Wherever possible, proposals must reuse existing traditional buildings of historic or vernacular merit, use previously developed sites and take up opportunities for enhancement.
27. The proposed development would bring forward a modestly scaled business premises in an appropriate and accessible location within the settlement of Hathersage and on a previously developed site, which is supported by Policy E1.
28. The existing building is in poor condition visually and despite it sitting in a position behind the principal buildings on Main Road, the site has a well-used footpath running through it and is therefore visible to the public. It therefore provides an opportunity for enhancement to the benefit of the settlement.
29. However, as discussed above, the proposed development would harm the character and appearance of the surrounding area and fail to conserve or enhance the HCA. I therefore find that the proposal does not take up opportunities for enhancement and is contrary to Policy E1 of the CS.

### **Other Matters**

30. There are letters of support for the appellant as a well-respected local resident and business owner. However, planning permissions run with the land and there can be no certainty that the appellant would implement the scheme. Nor does this matter outweigh my concerns about the scheme's design.
31. No objections have been raised by either Hathersage Parish Council or the Ramblers Association. However, a lack of objection does not equate to a lack of harm, and I have considered the proposal on its own planning merits.

### **Conclusion**

32. The proposal conflicts with the development plan taken as a whole, and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons above, I conclude that the appeal should be dismissed.

*L Fern*

INSPECTOR