
Appeal Decision

Site visit made on 3 June 2025

by Elaine Moulton BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th July 2025

Appeal Ref: APP/M9496/W/24/3353578

Pyegreave Farm, Cowlow Lane, Combs, Derbyshire SK23 9UX

- 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 P Knowles against the decision of Peak District National Park Authority.
 - The application Ref is NP/HPK/0224/0169.
 - The development proposed is conversion of existing redundant barn to dwelling.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by Mr P Knowles against Peak District National Park Authority. This application is the subject of a separate Decision.

Background and Preliminary Matters

3. Planning permission was granted in 2019 for the conversion of the appeal building to holiday accommodation¹ (2019 permission). The appellant's position, disputed by the Authority, is that the planning permission is extant as the permitted development commenced through the addition of new heads and trays above the windows, and the insertion of a concrete slab.
4. I note the information provided indicating that such works has taken place at the appeal building. However, the approved plans within the appeal documents do not refer to such matters. As such, there is no compelling evidence before me that demonstrates that the works carried out were comprised in the development for which planning permission was granted. On this basis, it appears reasonable to consider that the 2019 permission has lapsed, irrespective of when the works were undertaken.

Main Issues

5. The main issues are:
 - The effect of the proposal on the character and appearance of the appeal building and the surrounding landscape;
 - The effect of the proposal on European protected species and habitats, with specific regard to bats; and

¹ Reference NP/HPK/0718/0637

- Whether the proposal makes adequate provision for parking, with particular regard to the living conditions of the future occupants and highway safety.

Reasons

Character and appearance

6. The appeal building is a traditional barn constructed of natural gritstone, with a natural gritstone slate roof. A datestone on the building states 1656, but it is thought to have been rebuilt in the 18th Century reusing original materials. The barn forms part of a farmstead which also includes Pyegreave Farmhouse and a barn that has been converted into an office and holiday let. The farmstead is recorded on the Derbyshire Historic Environment Record and the Historic Buildings and Sites and Monument Record.
7. The main parties agree that the appeal building is a non-designated heritage asset (NDHA). The evidence before me supports this conclusion and, in reaching my decision, I have treated it as such. Its significance as a NDHA is, in part, derived from its traditional agricultural character and materials, its surviving historic fabric, and its relationship with the other buildings that form the historic farmstead.
8. The landscape within which the appeal site is located is characterised by, amongst other things, its undulating topography, irregular blocks of woodland and permanent pasture enclosed by hedges and stone walls. Traditional farmsteads that are scattered throughout the area are also characteristic of the landscape.
9. The appeal site is within the Peak District National Park (PDNP). Paragraph 189 of the Framework makes clear 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. It goes on to state that the conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks.
10. The proposal includes the subdivision of the open first floor area to a similar extent to that approved under the 2019 permission. Whilst the concerns of the Authority in this regard are noted, there is nothing before me indicating that there has been a material change in planning circumstances since that decision. Therefore, there is no compelling reason to reach a different conclusion to that in respect of the permitted holiday accommodation development and find that the proposed level of subdivision would unacceptably harm the building if in use as an open market dwelling.
11. The proposal would include two roof lights on the front elevation in a broadly similar position to that previously approved and would introduce three rooflights at a high level on the rear roof slope. In addition, a soil vent pipe and a new stove flue on the rear roof slope is proposed, whereas only one external flue was approved under the 2019 permission.
12. For the reasons I have given, I have found the extent of the subdivision of the upper floor to be acceptable. Nonetheless, there is no clear justification for the upper floor layout as proposed and, consequently, there is nothing before me that demonstrates that the number of rooflights are the minimum required and therefore accords with adopted SPD guidance. Furthermore, there is no evidence within the submission that an additional external flue/pipe is necessary or that,

unlike the one previously permitted, the proposed stove flue must extend above the roof ridge. Accordingly, there is no basis upon which I can conclude that a more visually discreet alternative is not feasible.

13. No new openings are proposed in the elevations of the appeal building, but the scheme would introduce a greater level of glazing than is typical of a barn. This is due to the proposed fully glazed full height window in the front elevation in a position where currently there is a garage door. This contrasts with the 2019 permission which included a hit and miss board frame in front of that window, thereby breaking up the extent of glazing in this opening.
14. The overall extent of alterations as proposed would result in the building appearing domestic in character. This would be exacerbated by the external paraphernalia associated with the proposed residential use of the building, such as garden furniture and washing lines, and the parking of two or three cars, although I acknowledge that this would not be to a materially greater extent than the development allowed under the 2019 permission.
15. The building is in reasonable condition and is relatively well preserved. Consequently, it makes a positive contribution to local distinctiveness and, therefore, the retention and preservation of this traditional building is important. Nevertheless, the extent of domestication of the appeal building and its immediate surroundings, would result in an unacceptable diminution of its historic agricultural character. Thus, the proposal would be harmful to the significance of the appeal building as a NDHA. For the same reasons, the proposal would alter the character of the historic farmstead which, in turn, would harm the landscape.
16. Paragraph 210 of the Framework requires account to be taken of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Additionally, account is to be taken of the desirability of development making a positive contribution to local character and distinctiveness. Paragraph 216 says that the effect of an application on the significance of a NDHA should be taken into account in determining the application. In weighing applications that directly or indirectly affect NDHAs, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
17. The proposal would provide a new use for the barn and consequently secure the future of the NDHA. However, there is no compelling evidence that the building is at immediate risk, and it has not been demonstrated that there are no alternative ways of achieving the reuse of the building without the harm identified, or that it is not feasible to convert it to an open market dwelling with a similar extent of alteration to that allowed in the 2019 permission. As such, I give only limited weight to these benefits.
18. The proposal would provide a new dwelling, thereby contributing to the supply of housing in the area. There would also be economic benefits arising from the conversion and occupation of the building. Nevertheless, given this is a single dwelling such benefits would be limited.
19. Overall, I find that there are no clear benefits that would outweigh the harm to the NDHA that I have identified.

20. For the above reasons, whilst I have not found the extent of subdivision of the building to be unacceptable, I find that the proposal would be harmful to the character and appearance of the appeal building, a NDHA, and the surrounding landscape of the PDNP. It would therefore conflict with policies GSP1, GSP2, GSP3, L1, L3 and HC1 of the Core Strategy Development Plan Document (CS), adopted in October 2011, and policies DMC3, DMC5 and DMC10 of the Development Management Policies Document (DMP), adopted in May 2019. Such policies, amongst other things, seek to ensure that development is consistent with the purposes and duty of the National Park, conserves and where possible enhances valued landscape character and that any conversion of a heritage asset does not compromise its character or setting. In addition, it does not accord with the similar aims set out in the SPD² or the Framework.

Protected Species

21. The proposal is supported by a Daytime Bat Survey (the Survey) that identifies that the site is located close to good quality bat foraging habitat and that the building offers moderate potential to support roosting bats. Furthermore, the Survey indicates that as access to the upper level of the barn was not possible, further targeted surveys are required to determine the status of roosting bats at the site and to inform mitigation requirements.
22. All bat species are designated and protected under the Conservation of Habitats and Species Regulations 2017. Paragraph 193 of the Framework states that if significant harm to biodiversity resulting from development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused. The Framework refers to Circular 06/2005³ which states that it is essential that the presence or otherwise of protected species, and the extent that they may be affected by development, is established before planning permission is granted. The Circular advises that surveys should only be required by condition in exceptional circumstances.
23. The evidence before me suggests, therefore, that there is a strong likelihood of the presence of bats within the appeal building, but in the absence of the further surveys recommended in the Survey, the extent to which bats may be affected by the development is unclear. I have considered whether this can be addressed by a suitably worded condition to require that relevant surveys be undertaken. However, since there is no certainty that the proposed inclusion of a bat loft to provide alternative roosts or other measures would mitigate such harm, a condition would not be appropriate.
24. The appellant has referred to the appeal scheme including similar bat mitigation measures to that within the 2019 permission. However, for the reasons set out above, it appears that the 2019 permission has lapsed and, therefore, it does not constitute a fallback position. Accordingly, there are no exceptional circumstances that justify the use of conditions to secure additional surveys.
25. Whilst it is correct to state that the Authority's Ecologist and Natural England have raised no objections to the proposal, of greater importance is that they have not advised that sufficient supporting information has been provided to assess the

² The Conservation of Historic Buildings Supplementary Planning Document

³ Biodiversity and Geological Conservation

extent of the impact of the proposal on bats, and that it is acceptable in this regard. Consequently, this does not alter my findings in this regard.

26. To conclude, there is insufficient information to adequately demonstrate that the proposed development would not cause harm to a European protected species or their habitat, namely bats. The proposal would therefore conflict with CS Policy L2, and DMP Policies DMC11 and DMC12 which require, amongst other things, that adequate and accurate detailed information is provided to show the impacts of the proposal on species and that development must conserve species of biodiversity importance.

Parking provision

27. The proposed plans show the provision of two parking spaces in front of the building in a broadly similar position to those approved under the 2019 permission. Even so, from the information contained in the plans and based on my observations on site, I consider that the adopted minimum parking standard of three parking spaces could be achieved, albeit that would increase the extent of domestication arising from the proposal. Three parking spaces could be secured by condition if the appeal were to be allowed. I therefore find that an appropriate level of parking could be achieved on site to ensure that the living conditions of the future occupants of the proposal would not be adversely affected.
28. Furthermore, due to the distance of the appeal site from Cowlow Lane and its single carriageway width, it is unlikely that the development would result in unsafe parking on the public highway. I therefore find that the proposal would not result in any material harm to highway safety and note that the lack of objections from the Highway Authority supports this conclusion.
29. Consequently, I conclude that the proposal makes adequate provision for parking and, as such, appropriate living conditions would be provided for the future occupants of the proposal and highway safety would not be compromised. It would not, therefore, conflict with DMP Policy DMT8 insofar as it relates to the requirement to meet highway standards.

Conclusion

30. The proposed development conflicts with the development plan when considered as a whole and there are no material considerations, either individually or in combination, that outweigh the identified harm and associated development plan conflict.
31. For the reasons given above the appeal is dismissed.

Elaine Moulton

INSPECTOR