



Appeal Decision

Site visit made on 21 July 2025

by Andreea Spataru BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8 September 2025

Appeal Ref: APP/M9496/W/25/3362332

Land to the west of Stanedge Road, Bakewell DE45 1DG

- 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 Pamela Bolland against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/1024/1069.
 - The development proposed is described as 'Change of use to a residential dwelling and garden, rebuilding of single storey element along with new access track'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal site's address above has been taken from the appeal form, rather than the application form, as it is more precise.
3. The appellant has drawn my attention to the submission of a notification¹ under Class R, Part 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) (the Order) for a change of use of an agricultural building to a flexible commercial use, which concerns the main building on the appeal site. This is a material consideration, and the appellant has referred to it as a 'fallback position'. I have considered it accordingly in its own section named 'Fallback position' in my assessment below.

Main Issues

4. The main issues are:
 - The effect of the proposal on the character and appearance of the Peak District National Park;
 - The effect of the proposal on heritage assets; and
 - The effect of the proposal on highway safety.

Reasons

Character and appearance

5. The appeal site relates to a field, within the countryside, which accommodates a barn and a single-storey outbuilding. The buildings occupy a central position within

¹ LPA ref: NP/GDO/0424/0362

the large field. The field is mostly bounded by a low stone wall, and there are several trees scattered within the field. Small clusters of buildings are located to the north-east and south-east of the appeal buildings, and there are large fields on the opposite side of the road. The existing character and appearance of the area derives to a significant extent from the modest nature of the buildings and agricultural uses which incorporate considerable green open areas compatible with this rural setting.

6. The appeal site reflects the rural landscape of the area through the small-scale structures, and the lack of a curtilage and associated access track. Whilst readily visible within the area, given the rural appearance of the buildings and their siting in relation to their surroundings, they blend in within this countryside setting and contribute to the rural landscape.
7. The proposed conversion of the existing barn and outbuilding into a residential dwelling, along with its associated garden area, parking and turning area, and an access track, which would connect the proposed dwelling to Stanedge Road, would result in a form of development with a domestic appearance and use. Thus, the introduction of the proposed development together with the associated domestic activities and paraphernalia would have an urbanising effect, at odds with the prevailing character and appearance of the area. Accordingly, the change to the character and appearance of the appeal site would be significant.
8. I acknowledge the appellant's intention to utilise the existing materials, where possible, for the reconstruction of the existing dilapidated outbuilding. The proposed curtilage would be formed through the erection of a stone wall similar to the existing boundary treatments, the size of the proposed garden would not be excessive, and the access track could be made out of grasscrete, to reduce its visual prominence. However, these elements would not be sufficient to mitigate the urbanising effect of the proposal on this rural landscape.
9. The appellant asserts that the proposal would have a positive effect on the landscape, as it would preserve the main building by converting it into a dwelling, and the existing outbuilding would be reconstructed. I acknowledge the benefits of the proposal on the landscape, particularly in terms of planting of trees, restoration of the existing dew pond, repairs to the existing boundary stone walls, and the replacement of the existing metal field gate with a wooden field gate. However, I am not persuaded, based on the evidence before me, that these benefits cannot be achieved through a less intrusive scheme. Thus, the benefits do not outweigh the harmful effect of the proposal on the character and appearance of the area.
10. Due to the degree of harm arising from the proposal itself, a condition to prevent the erection of outbuildings in the future would not make the proposal acceptable.
11. I have considered the appellant's fallback position in relation to this issue in the *Fallback position* section below.
12. Accordingly, the proposal would be harmful to the character and appearance of the National Park. Therefore, it conflicts with the aims of Policies GSP1, GSP2, GSP3, L1 and L3 of the Peak District National Park Local Development Framework Core Strategy Development Plan Document 2011 (CS), and Policy DMC3 of the Development Management Policies Part 2 of the Local Plan for the Peak District National Park 2019 (LP), which collectively require developments to conserve and enhance valued landscape character and other valued characteristics of the area.

It also conflicts with the aims of Paragraph 189 of the National Planning Policy Framework (the Framework), which states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.

Heritage assets

13. The appeal buildings are deemed to be non-designated heritage assets. The Authority's archaeology consultee states that the appeal buildings are recorded in the Derbyshire Historic Environment Record and Peak District National Park Authority Historic Buildings, Sites and Monuments Record. The Authority's archaeology consultee also states that the site is located in an area of the former medieval field system of Bakewell where earthwork remains are known to survive. The significance of such earthwork remains lies in their historical importance as evidence of past agricultural practices and rural life. The appellant failed to provide an appropriate desk-based assessment to establish the significance of any potential archaeological remains.
14. The buildings contribute to the distinctiveness and identity of the local area through their traditional materials, form, and overall design. Their significance lies primarily in the buildings' age, stonework and roof form, which offer architectural and historical value, particularly as they reflect their agrarian origins. The openness and agricultural use of the surrounding field make a positive contribution to the buildings' rural setting.
15. The single storey outbuilding is in state of disrepair; it is connected to the main building through a wall and roof beams. The proposal would demolish the single storey structure and erect an extension to the main building.
16. Whilst the extension would have a similar footprint and height as the existing structure, the proposed solid to void ratio for the single storey structure would be at odds with the rural vernacular of the main building due to the amount of glazing proposed. Accordingly, I find that the proposal would harm, rather than conserve, the character and appearance of the original buildings, and thus their significance. The change of use, along with the proposed curtilage, access track and associated domestic paraphernalia, would have an urbanising effect on the field, which would also affect the buildings' rural setting. In terms of the approach set out in the Framework, particularly at paragraph 216, given the scale and nature of the proposal, the arising harm would be moderate within the 'less than substantial' category.
17. Given the sensitive nature of the appeal site's location in an area of the former medieval field system of Bakewell, where earthwork remains are known to survive, and the lack of an archaeological statement, I do not consider that an archaeology planning condition would be appropriate in this instance. I have had regard to the appeal decisions² referenced by the appellant. I do not have full details of those cases. However, having read the Inspectors' assessments in those decision letters, I do not consider the appeal proposal directly comparable with those developments. One of the appeal decisions (APP/P3040/W/21/3277807) indicates that the principle of residential development was established through previous permission, which is not the case here. As for the other appeal decision (APP/D5120/W/18/3197418), the main issue was not related to archaeology, and it is not stated whether there were earthwork remains known to survive.

² Appeal refs: APP/P3040/W/21/3277807 & APP/D5120/W/18/3197418

Consequently, I have considered the proposal on its own merits and site-specific circumstances.

18. I have considered the appellant's fallback position in relation to this issue in the *Fallback position* section below.
19. Given my findings above regarding the effect of the proposal on the non-designated heritage assets, and in the absence of substantive evidence regarding any archaeological remains, the proposal fails to demonstrate that it would conserve, and where appropriate enhance or reveal the significance of archaeological assets and other heritage assets and their settings, contrary to the aims of CS Policy L3, LP Policies DMC3, DMC5 and DMC10, and those of the Framework.

Highway safety

20. Although the proposal would involve the relocation of the existing gates, where the gates would be approximately 5 metres back from the highway, the required visibility splays would not be achieved. The appellant accepts that the length of the vehicle splay would not accord with the distances recommended in Manual for Streets.
21. Nevertheless, the appellant indicates that there have been no recorded personal injury road traffic accidents at the site access or in close proximity within the last 20 years. Be that as it may, I have not been provided with substantive evidence to demonstrate the degree to which the site has been used in the past 20 years. In the absence of such evidence, the lack of accidents records does not justify the proposal.
22. The appellant has drawn my attention to an appeal decision³. However, it has not been demonstrated that the proposal is directly comparable with that development. From the limited evidence before me, I find that the proposal is not directly comparable with that scheme, particularly as in that case a speed survey was undertaken, where its results contributed to the assessment of that proposal, and the visibility splays also differ. Accordingly, I have considered the appeal development based on its own merits and site-specific circumstances.
23. I have considered the appellant's fallback position in relation to this issue in the *Fallback position* section below.
24. In conclusion, the proposal would be detrimental to highway safety. Thus, it is contrary to the aims of LP Policy DMT3, which states that, amongst other things, developments that include a new or improved access onto a public highway will only be permitted where a safe access is achievable for all people. The proposal is also contrary to paragraph 115 of the Framework, which requires safe and suitable access to the site for all users.

Fallback position

25. The appellant has drawn my attention to a judgement⁴ which concerns the materiality of a fallback position. In this regard, the appellant states that there is a strong prospect of implementing the fallback scheme and I have little reason to

³ Appeal ref: APP/G2435/C/22/3292588

⁴ Mansell v Tonbridge and Malling Borough Council [2016] EWHC 2832 (Admin)

find otherwise. Nevertheless, the degree of weight to be given to the fallback position also depends on whether or not the fallback position would be equal to or more harmful than the scheme proposed.

26. I have not been provided with full details of the notification⁵ under Class R, Part 3 of the Order for the change of use of the main building on the appeal site to a flexible commercial use. The Authority indicates that the change of use through Class R of the Order relates to the main building and its limited curtilage. This has not been contested by the appellant. In contrast, the proposal would extend significantly beyond any internal alterations that could be done under the fallback scheme, as identified in the sections above.
27. I understand that there are several uses which could be adopted under the fallback position. The appellant asserts that the appeal proposal would be less harmful than the fallback position because there would be fewer vehicle movements associated with the residential use, the reuse of materials and archaeological investigations could be secured through planning conditions, the existing gate would be relocated to improve visibility splays, and the creation of a surfaced access track would prevent deleterious material from being deposited onto the highway. Nevertheless, given the small scale of the main building, its isolated location, the lack of evidence with regard to the potential commercial use of the site, and the overall harm identified above regarding the proposal, I am not persuaded that any potential commercial use would be more harmful than the appeal scheme.
28. Consequently, overall, the proposal would be more harmful than the fallback scheme. As such, the fallback position does not weigh in favour of permitting the appeal proposal, rather the opposite.

Other Matters

29. The proposal would add new trees, restore the existing dew pond, repair the existing boundary stone walls, and replace the existing metal field gate with a wooden field gate. It would also add to the housing stock, and there would also be economic and social benefits arising from the development. However, given the small scale of the proposal, these benefits would be limited. Whilst the proposal would re-use a redundant and disused building, it would do so to the detriment of the character and appearance of the National Park, the heritage assets, and highway safety. Consequently, the overall benefits do not outweigh the harm identified above.
30. I acknowledge the appellant's concerns over the Authority's handling of the application. However, this is not a matter that I can consider under a Section 78 planning appeal and does not alter my findings, in which I have had regard solely to the planning merits of the proposal.

Conclusion

31. For the reasons given above, I conclude that the development would conflict with the development plan as a whole and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

⁵ LPA ref: NP/GDO/0424/0362

Andreea Spataru

INSPECTOR