
Appeal Decision

Site visit made on 5 August 2025

by **Paul Martinson BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 23 September 2025

Appeal Ref: APP/M9496/Y/24/3356913

Further House, Baulk Lane, Hathersage, Derbyshire S32 1AF

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr M Pedlar against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0723/0770.
 - The works proposed are described as 'Formation of new doorway to the ground floor between the kitchen and dining room'.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the appellant's name as it appears on the application form in the banner heading above.
3. The appeal property, Further House, is a Grade II listed building¹ referred to on the National Heritage List for England as: 'The Cottage, Baulk Lane'.
4. The appeal is against the refusal of listed building consent for works to a listed building in a Conservation Area. I have therefore had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

5. The main issue is whether the proposal would preserve the Grade II listed building of The Cottage, or any features of special architectural or historic interest which it possesses.

Reasons

Special Interest and Significance

6. The Cottage is an eighteenth century house with seventeenth century origins, located in a rural setting on the edge of the settlement. The building is predominantly two storeys and constructed of coursed stone with dressed gritstone sills, lintels and mullioned windows and a stone slate roof. A catslide roof extends over the rear (north) part of the building, whilst the principal elevation, incorporating a degree of symmetry, faces south along Baulk Lane.

¹ List Entry Number: 1109797.

7. The appellant's heritage statement includes a phasing plan that identifies the existing dining room as the oldest part of the building. The main section of building comprising of the living room and study is said to constitute a second phase and the kitchen, under the catslide roof, of a third phase. This phasing plan is disputed, however, and appears to be based on limited evidence, with the heritage statement stating: 'Without documentary evidence it is difficult to substantiate the development of the building'. Nonetheless, there is agreement that all phases had been constructed by the eighteenth century. Therefore, based on the evidence that is available to me, the plan-form as it exists today is thus of considerable age and provides an insight into the evolution of the building over time.
8. As such, on the basis of the evidence before me, the building's special interest and significance are largely derived from its illustration of eighteenth century domestic architecture with the incorporation of earlier seventeenth century fabric. Important contributors in these regards which are pertinent to the appeals, are its use of traditional materials; surviving historic fabric; the legibility of its historic plan-form; and its evolution over time.

Proposals and Effects

9. It is proposed to form a new door opening in the wall between the kitchen and the study. This would break through a historic wall between the two rooms, resulting in the loss of a sizeable amount of historic fabric from a wall that dates to at least the eighteenth century. This modern intervention would result in a new link between two separate phases of the building, disrupting the legibility of the historic plan-form.
10. The proposed works would harmfully erode the historic and architectural integrity of the listed building and would not conserve it in a manner appropriate to its significance. That the exact date of the wall is not known, or that it is not the earliest part of the building, does not justify the harm, not least because the wall is still of considerable age with all three phases identified as dating to the eighteenth century. Moreover, as set out above, it is the phased evolution over time that contributes to the significance of the building rather than this being primarily limited to an original plan-form that is, based on the evidence available, unclear.
11. The National Park Authority (the NPA) highlights that the proposed new doorway would be positioned between, and very close to, historic timber beams and hence could impact on their structural integrity. In response the appellant has provided copies of two emails from a structural engineer. Additionally, the amended plans submitted with the application included an elevation drawing showing the creation of the opening and the position of a supporting oak lintel and oak posts used to form the doorway. There is no structural survey or details of any calculations. There is also no evidence of the precise composition of the wall. I therefore cannot be certain, on the basis of the emails alone, that the proposal would not, to some extent, harm the structural integrity of this part of the building. Any negative effect on structural integrity would fail to conserve the heritage asset to the detriment of its special interest and significance.
12. Earlier iterations of the proposed plans referred to an 'existing panel door' being 'locked shut' between the kitchen and the lobby at the base of the stairs. However, based on my site visit, there is no existing door in that position. The provision of a

new door in that doorway was shown on the latest amended plan on which the NPA made its decision.

13. The provision of the new door is not included in the description of proposed works and not detailed in the heritage statement. This is a notably taller opening than the others on the ground floor and there is a possibility it has been raised in height in the past. The absence of any assessment of the history of this existing doorway, whether and when a door was present, why it may have been removed and when or if its height has been raised, makes it difficult to conclude that this element of the proposal would preserve the special interest or significance of the listed building. In the absence of any convincing evidence to the contrary, I therefore conclude that this element of the scheme would add to the harm I have identified above.
14. For the above reasons the proposal would fail to preserve the Grade II listed building of The Cottage or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of section 16(2) of the Act. For the same reasons the proposal would cause harm to the significance of this designated heritage asset.

Public Benefits and Balance

15. When considering the impact of a proposed development on the significance of a designated heritage asset, the Framework sets out that great weight should be given to the asset's conservation. It makes clear that the more important the asset, the greater the weight should be. This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Consistent with that approach, paragraph 213 sets out that any harm to, or loss of, the significance of a designated heritage asset, should require clear and convincing justification.
16. Given the extent and nature of the proposal, I find that the harm in this instance would be 'less than substantial' but, nevertheless, of considerable importance and weight. Paragraph 215 advises that this harm should be weighed against the public benefits of the proposal.
17. The appellant acknowledges that the proposal would result in harm. The appellant's position is therefore that the harm is outweighed by the 'environmental benefits' arising as a result of the proposal. However, to my mind these are not entirely dependent upon the implementation of the appeal scheme. The lack of a direct route between the kitchen and dining room (identified as a study on the existing plans) would not prevent them from being heated and occupied as the primary living space. I acknowledge the potential for heat loss between the living room and stairs, however, there is already a curtain on this doorway, which would help to reduce heat loss from the living room and prevent any draughts from the stairs.
18. Furthermore, even if the appeal scheme were implemented, future owners may choose not to heat just the two rooms as primary living space. The environmental benefits arising from the appeal scheme are therefore limited.
19. The provision of a communal space for friends and family and improved functional relationship that would avoid the movement of hot food and drink through the stairwell would principally be a private benefit and not a public benefit.

20. Nevertheless, cumulatively the sum of public benefits would not outweigh the considerable importance and weight that even less than substantial harm to a designated heritage asset carries.
21. The proposal would not preserve the Grade II listed building of The Cottage or any features of special architectural or historic interest which it possesses. This would be contrary to the requirements of sections 16(2) of the Act and the provisions within the Framework which seek to conserve and enhance the historic environment.
22. Listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004. Consequently, they do not need to be determined in accordance with the development plan although relevant provisions can nevertheless be material considerations. In this respect there would be conflict with Policy GSP1 and GSP3 of the Peak District National Park Core Strategy (2011) which amongst other things seek to ensure new development preserves local character and cultural heritage in line with the statutory purposes of National Parks and Policies DMC5, DMC7, and DMC8 of the Peak District National Park Development Management Policies (2019).

Other Matters

23. The site is within the Hathersage Conservation Area (the CA) which covers the historic core of the settlement. The appeal property is of a similar age and style to other buildings along Baulk Lane and the CA as a whole. As a cottage of considerable age with an eighteenth century frontage facing along Baulk Lane in a prominent position, it makes an important contribution to the character and appearance and thus the special interest and significance of the CA. However, given that the works are limited to the interior, the character and appearance of the CA as a whole would be preserved, as required by the Act. Nevertheless, this weighs neither for nor against the appeal and does not alter my conclusions on the main issue.

Conclusion

24. For the above reasons and having regard to all matters raised I conclude that the appeal should be dismissed.

Paul Martinson

INSPECTOR