



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: 1 October 2025

Appeal Ref: APP/M9496/Y/25/3364693

Cressbrook Hall, Bottomhill Road, Cressbrook, Derbyshire, SK17 8SY

- 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 Ms Joanne Cunningham against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/0924/0916.
 - The works are described as 'the provision of two parking bays with hipped roof canopy. Proposed removal of a disused oil tank, excavation of hillside alongside driveway, and the felling of 4 low quality trees in woodland. To include associated landscaping and hard-standing provision'.
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Decision

1. The appeal is allowed and listed building consent is granted for the provision of two parking bays with hipped roof canopy. Proposed removal of a disused oil tank, excavation of hillside alongside driveway, and the felling of 4 low quality trees in woodland. To include associated landscaping and hard-standing provision at Cressbrook Hall, Bottomhill Road, Cressbrook, Derbyshire SK17 8SY in accordance with the terms of the application Ref NP/DDD/0924/0916 and the plans submitted with it, subject to the conditions set out in the attached schedule.

Preliminary Matters

2. 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).
3. The application form states that the works have not commenced. However, on my site visit I saw that much of the excavation and construction had already occurred although the roof remained uncovered. For avoidance of doubt, in coming to my decision I have taken into account the details submitted with the application, limited to those matters for which consent is sought.
4. The appeal scheme follows an earlier approval of listed building consent¹ for '*the provision of two parking bays and steel frame canopy. Proposed removal of a disused oil tank, excavation of hillside alongside driveway, and the felling of 6 low quality trees in woodland. To include associated landscaping and hard-standing provision*' (the extant consent). The proposed parking bay would be dug into the sloping land over a similar footprint to the appeal proposal. It comprises of a steel frame and standing seam zinc roof. A high, sloping retaining wall would separate the parking bay from the rising land to the rear. This has not been implemented.

¹ Ref: NP/DDD/0923/1086.

5. There is no accompanying appeal against a refusal of planning permission and there is no evidence to suggest that such an application was submitted to the National Park Authority (NPA). As such, my considerations relate solely to the matter of listed building consent.

Main Issue

6. The main issue is whether the works preserve the Grade II listed building of Cressbrook Hall and attached terracing, with particular regard to its setting.

Reasons

Special Interest and Significance

7. Cressbrook Hall is a Grade II listed country house, constructed of coursed, squared limestone in 1843 for Henry McConnel, the owner of the nearby Cressbrook Mill and estate. The building is of a Tudor style with the principal elevations looking out over the formal gardens and the picturesque valley of the River Wye beyond. The long, sloping driveway extends from Bottomhill Road and passes by the north elevation of the house before continuing through the open parkland that lies to the north and east of the building and its gardens.
8. Pertinent to the appeal and based on the evidence before me, the special interest and significance of Cressbrook Hall derives principally from its architectural and historic interest as a Victorian country house with a formal garden and parkland setting.
9. The appeal site is located within the steeply rising hillside to the north of the Hall that is retained by a reasonably low stone wall. The area immediately adjacent to the entrance gates is well wooded, containing a number of mature trees. The hillside forms part of the parkland setting to the listed building and makes an important contribution to its special interest and significance.

Proposals and Effects

10. As set out above, the building is at an advanced stage of construction and has been dug into the hillside to the north of the Hall. Its stone faced walls have been constructed along with the retaining wall and its concrete floor. The metal roof structure that has been installed would result in a hipped roof with a zinc standing seam covering when complete.
11. On the site visit I saw that the hipped roof would be the most prominent part of the structure and would be visible from the north elevation of the Hall and the spaces around it, including the driveway as it bypasses here. Longer views along the access to the east and west are screened by trees and the topography. Given the nature of the rising land and the proximity to a wooded area immediately adjacent, the structure appears reasonably well integrated into the landscape. Almost all views of the roof would be seen against the backdrop of the woodland or the rising ground behind. Additionally, the coursed stonework of the walls is reflective of that of the adjacent historic retaining walls.
12. Both parties have referred to the extant consent. The appellant sets out that this has not been implemented due to the position of a water main which has necessitated shifting the footprint slightly to the east. Nonetheless, there is nothing before me to indicate that this water main could not be relocated or incorporated

into the proposal in some way, allowing for the construction of the approved scheme. Given the similarity to the appeal proposal, notwithstanding that works are at an advanced stage of construction, I consider that there would be a reasonable prospect of the extant consent being implemented were I to dismiss the appeal. This constitutes the fallback position and as such I give the fallback position considerable weight.

13. The extant consent was for a flat roofed structure. In that regard, the roof would be less intrusive in its setting than the appeal scheme, although both schemes propose zinc as a roof covering. Nonetheless, the extant consent would result in a much taller retaining wall than arises from the appeal scheme. This would be asymmetrical, being taller to the western edge and seen beyond the flat roof. This would be a prominent element of the extant consent and would be visible, at least in views from around the Hall, to a similar extent as the hipped roof of the appeal scheme. In that regard I am mindful that the hipped roof would be of a similar height to that of the retaining wall.
14. Hipped roofs are not a feature of Cresswell Hall, however neither are flat roofs or the exposed steel framing that comprise the extant consent. Nonetheless, the hipped roof would have a similar appearance to the conservatory which lies immediately opposite, albeit not hipped. The hipped form has the benefit of minimising the visual impact of the roof allowing for views of a greater portion of the hillside behind than if a dual-pitched roof were proposed.
15. I acknowledge that the appeal scheme is slightly larger in terms of its footprint than the extant consent, however, that increase in size would not lead to it dominating its surroundings to a noticeably greater degree than the extant consent. Furthermore, as set out above, whilst the proposed roof of the appeal scheme would be more prominent than that of the extant consent, the extant consent's retaining wall would be more imposing than the appeal scheme, extending to a similar height. I am also mindful that the extant consent results in the loss of a noticeably greater extent of historic fabric, from the removal of the wall. In terms of the loss of fabric therefore, the appeal scheme is less harmful than the extant consent.
16. For these reasons, I am not convinced that the appeal scheme would have any discernibly greater impact on the parkland setting than the fallback position. The appeal scheme would therefore preserve the special interest and significance of Cressbrook Hall. It follows that the expectations of the Act would be met.
17. Insofar as they are material considerations the proposal would also accord with section 12 of the National Planning Policy Framework (the Framework), Peak District National Park Core Strategy (2011) Policy L3 and Peak District National Park Development Management Policies (2019) DMC5 and DMC7 which together, amongst other things, seek to ensure proposals conserve the cultural heritage of National Parks and ensure heritage assets are conserved in a manner appropriate to their significance.

Other Matters

18. Whilst the NPA makes no reference in its reason for refusal to the effect of the works on the character and appearance of the Cressbrook and Ravensdale Conservation area (the CA), section 72(1) of the Act requires that, in the exercise of planning powers in conservation areas, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

From the evidence before me and my observations at the site visit, I consider the significance of the CA to comprise of its rural character, the association with the mill and the historic relationships between the buildings, the pattern of development, influenced by topography, and its landscape setting. The NPA has stated that due to the location of the proposal, any effect on the significance of the CA would be negligible. Given my findings on the main issue I have no reason to disagree.

Conditions

19. I have had regard to the conditions suggested by the NPA and considered them against the tests in the Framework and the advice in the Planning Practice Guidance, making such amendments as necessary to comply with those documents. Given that the works to construct the appeal scheme have already commenced, a condition requiring compliance with the standard statutory period is not necessary.
20. I have not attached a condition specifying the approved plans as progressing the works in accordance with the submitted plans is part of the formal decision above. Moreover, unlike planning permission, there is no provision for a minor material amendment to a listed building consent and therefore such a condition would fail the tests as it would serve no purpose.
21. I have imposed a condition requiring the rainwater goods to be black and cast metal in order to ensure the proposal is in keeping with the Hall and to ensure a clean appearance without the need for fascia boards.
22. In its suggested conditions, the NPA has referred to the need to control the finish of the internal walls of the car port. Currently comprising of concrete blocks, it is unclear if these are complete, from the evidence before me, including the proposed plans. Considering the prominence of the interior of the structure, owing to its open nature, I agree with the NPA in that it is important to ensure that the internal walls are subject to sensitive treatment. I therefore include a condition requiring details of an appropriate finish to the interior of the building to be submitted to and approved in writing by the NPA. Given that the majority of the works have been carried out, this is required to be submitted within a specified time.

Conclusion

23. For the reasons given above the appeal should be allowed.

Paul Martinson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The new rainwater goods shall be black and cast metal. The gutters shall be fixed directly to the stonework with brackets and without the use of fascia boards. There shall be no projecting or exposed rafters.
- 2) Within 6 months of the date of this decision, details and/or samples, of the internal finish of the car port shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in strict accordance with the approved details thereafter.

END OF SCHEDULE