
Appeal Decision

Site visit made on 23 September 2025

by **L Wilson BA (Hons) MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 03 October 2025

Appeal Ref: APP/M9496/D/25/3369095

The Barn, South Church Street, Bakewell DE45 1EA

- 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 and Mrs G Slack against the decision of Peak District National Park Authority.
 - The application Ref is NP/DDD/1024/1145.
 - The development is proposed garage and store building for purposes incidental to a dwelling.
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the living conditions of the occupiers of neighbouring properties, with particular reference to outlook, sunlight and daylight.

Reasons

3. The Barn is set back from the highway and shares boundaries with numerous dwellings. The appeal site is located close to Bakewell town centre and therefore many buildings have a tight-knit relationship. There is a shed where the building is proposed, which the evidence before me suggests is unauthorised. The new building would be significantly larger than the shed.
4. The reason for refusal does not specify which neighbouring properties would be harmed by the proposal. However, the committee report outlines that the properties most affected by the development are Barnes Cottage/ 3 South Church Street and Erica Cottage.
5. There would be a small gap between the proposed development and Erica Cottage. Erica Cottage has windows and glazed doors a short distance from the proposed building. There is an existing stone boundary wall with fencing along the boundary, which has been highlighted to be a retaining wall.
6. The building would be marginally sited further away from the boundary than the existing shed. The roof slope of the building would be pitched away from Erica Cottage. The room to which the closest window to the proposed building benefits from glazed doors which I understand serve the lounge. These doors do not face towards the appeal site.
7. Due to the small gap between the proposed building and Erica Cottage's lounge window and glazed doors, as well as the height of the proposal relative to the floor

level of Erica Cottage, along with the scale and massing of the building, the proposal would have an unacceptable overbearing impact on the lounge. Furthermore, the proposal would have an overbearing impact on Erica Cottage's garden area, including balcony. This is because Erica Cottage's garden area sits notably lower than the appeal site, and given the size of Erica Cottage's garden, as well as the siting and height of the proposed building.

8. The dwellings towards the north of the appeal site, including Barnes Cottage and 3 South Church Street have windows on the rear elevation, facing the appeal site. Their private amenity space is also adjacent to the appeal site which is at a lower level. Taking into account the topography of the area, size of Barnes Cottage's garden, as well as the siting and height of the proposed building, the proposal would have an unacceptable overbearing impact on the garden area of particularly Barnes Cottage.
9. The drawings provide a cross section of the site in relation to Erica Cottage and Barnes Cottage which show that the development would be acceptable in relation to the 25-degree light rule. Thus, considering the orientation of the sun, location of Erica Cottage's glazed doors, distance between the proposed building and the dwellings towards the north of the appeal site, existing boundary treatment as well as the design of the proposed building, the proposal would not result in a significant loss of light to Erica Cottage or the dwellings towards the north.
10. The appellants highlight that the proposal would introduce a degree of screening which would enhance privacy for both the appellants and their neighbours. However, this does not outweigh the harm identified above.
11. For these reasons, the proposed development would not unreasonably overshadow the neighbouring properties windows or gardens but would have an overbearing impact on Erica Cottage and Barnes Cottage. Thus, the proposed development would have an unacceptable effect on the living conditions of the occupiers of neighbouring properties, with particular reference to outlook. Consequently, it would conflict with Policy GSP3 of the Peak District National Park Local Development Framework: Core Strategy Development Plan Document (2011) and Policies DMC3 and DMH7 of the Peak District National Park Development Management Policies (2019). These seek to ensure that living conditions of communities are respected.
12. It would also conflict with the Detailed Design Guide Supplementary Planning Document: alterations and extensions. This states where an extension would interfere with the outlook from a habitable room in a neighbouring property to the extent that alone or cumulatively with others, it is unduly intrusive and oppressive then it is reasonable to resist the proposal.

Other Matters

13. The appeal site is within the Bakewell Conservation Area (CA). As such, I have had regard to the statutory duty placed on decision makers in section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. The proposed development would have a neutral effect upon, and therefore preserve, the character and appearance of the CA and would not cause harm to the significance of the designated heritage asset. This is because the building would be sited in an enclosed garden area, and the design would be sympathetic to the character and appearance of the area.

14. The appeal site is also within the Peak District National Park (NP), and therefore I am mindful of the requirement to seek to further the purposes of it. I am satisfied that the proposed development would leave the natural beauty, wildlife and cultural heritage of the NP unharmed, and would conserve the special qualities of the NP. Thus, the proposal would not conflict with the purposes of conserving and enhancing the natural beauty of the NP.

Conclusion

15. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other material considerations, the appeal does not succeed.

L Wilson

INSPECTOR