

Anton Godfrey
The Planning Inspectorate
Room 3M
Temple Quay House
2 The Square
Bristol
BS1 6PN

Your Ref: APP/H1033/W/24/3357581

Our Ref: 1085/PG

12 March 2025

Dear Mr Godfrey,

HOW GREEN BARN, SHILOH ROAD, HIGH PEAK, DERBYSHIRE, SK22 4QR

Introduction

I write on behalf of my client, Mr P Ardern, further to your letter dated 7 March 2025 regarding the above, to which was attached the statement of the Council. This letter sets out the comments of the appellant on the Council's case, and it is noted that there have not been any representations submitted by third parties in response to the appeal publicity.

The Statement of the Council

The appellant has no observations to make on Sections 1 to 5 of the statement submitted by the Council, as they relate purely to the factual background for the case, other than to highlight that the Council only relied on four policies of their Local Plan in the stated reasons for refusal of the application, so the introduction of a list of 13 Local Plan policies, three supplementary planning documents and four specific sections of the NPPF at this stage of the process is highly unreasonable.

The comments of the appellant on Sections 6 and 7 of the Council's statement are set out in the following table, although as no paragraphs are numbered in the Council's submission, it is difficult to make any specific cross-references.

Page	Subject	Comments
7	Policy EQ3	The Council makes correct reference to Policy EQ3 specifically allowing for the re-use of redundant buildings and the redevelopment of a previously developed site.
8	Location	The Council make extensive reference to the rural location of the appeal site, something which has never been disputed by the appellant given that Policy EQ3 explicitly allows for residential conversions in exactly such locations, as it recognises that an existing building may well be in an isolated location.

9	Enhancement	The statement of the Council fails to take account of the substantial improvements proposed to the immediate setting of the building via the return of the current overly large menage back to grassland, along with the other enhancements proposed.
9	Redundant Building	The Council's case appears to focus on a single photograph which shows that a hay bale, a few buckets and what appears to be an old horse coat were present when the case officer visited the site. The Oxford dictionary definition of 'redundant' is something that is " <i>not or no longer needed or useful</i> " which is precisely what the appeal building is. There is certainly no requirement for the structure to have been completely emptied of any remnants of its previous use for it to be considered as redundant. The Council's reliance on this point as a basis for the entire refusal is unfounded and unreasonable.
9	Housing Strategy	The point made that the appellant has not demonstrated that the development could be accommodated in a location consistent with the Council's housing strategy is entirely irrelevant, as the scheme seeks the conversion of a redundant building which is entirely in accord with Policy EQ3 and the NPPF.
10	Policy EQ6	When turning to the second reason for refusal, the Council immediately seek to place reliance upon Policy EQ6 despite this not being referenced in their decision notice. Such an introduction is unreasonable and should be disregarded.
11	Visual Appearance	Despite accepting that nearby barns have been converted into dwellings, seemingly without any harm, the Council once more consider that the conversion of the redundant stable building with its associated benefits via the enhancement of the setting is in some way harmful. It must also be recognised that the future appearance of the building, for whatever alternative future use it may be put to, will be the same as that which currently exists, which therefore cannot cause any visual harm.
12	Menage	The Council's inference that the menage will be replaced by a 'turfed lawn' shows their failure to grasp the benefits proposed by the scheme as this area will simply be returned to use as a field as compared to its current man-made menage appearance.

13	NPPF	The Council refer to paragraph 11 of the revised NPPF almost to suggest that no development that is in an unsustainable location can ever be approved, whereas in reality there are numerous sections of the Framework which facilitate and encourage the type of scheme proposed by the appeal, as referenced extensively within the statement of the appellant.
14	Grey Belt	The NPPF's definition of Grey Belt is provided within its Glossary as " <i>land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143</i> ". Despite the Council's reference, the appeal site is therefore unequivocally 'Grey Belt'.
15	Conclusion	The appeal scheme puts forward an entirely acceptable form of rural conversion development on Grey Belt land which will demonstrably improve the character and appearance of the locality and the wider countryside via the visual benefits that will result including the return of the current large menage to open grassed agricultural land. The scheme is therefore one which should have been encouraged by the Council rather than being refused.
~	Conditions	It is noted that the Council propose a total of 13 draft conditions to be considered by the Inspector in the event that the appeal is allowed. These are all confirmed as reasonable by the appellant, and in regard to condition 3 (materials), the appellant would be prepared to utilise alternative materials such as stone if this is the Council's preference.

Comments Submitted by Third Parties

It is of significance to note that no adverse representations have been submitted by third parties regarding this appeal. It is very clear that local residents do not perceive that the proposed development will cause any harm, as suggested by the Council.

Closing Remarks

It is trusted that the Inspector will take the contents of this letter into account, and I await your confirmation of the date on which the Inspector will make their site visit.

Yours sincerely,



Philip Garner
DipPS MSc MRTPI
Director