
Appeal Decision

Site visit made on 14 November 2016

by Sarah Colebourne MA, MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 16th November 2016

Appeal Ref: APP/P1045/D/16/3159442

The Barn, Somersal Lane, Marston Montgomery, Derbyshire, DE6 2FE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Nicholas Selby against the decision of Derbyshire Dales District Council.
 - The application Ref 16/00387/FUL, dated 27 May 2016, was refused by notice dated 26 July 2016.
 - The development proposed is a detached twin garage.
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Decision

1. The appeal is dismissed.

Procedural matter

2. The planning application was submitted by Mrs S Selby who given permission for Mr Nicholas Selby to submit the appeal on her behalf.

Main Issue

3. The main issue in this case is the effect of the proposed garage on the character and appearance of the area.

Reasons

4. The appeal dwelling is a residential barn conversion that was granted permission in 2000 for conversion to two dwellings subject to a condition that withdrew permitted development rights for extensions and other permitted development in order to preserve the character and appearance of the area.
5. The Council's policy H5 in the Derbyshire Dales Local Plan (LP) (2005) is, therefore, not relevant to this appeal as it refers to the conversion of buildings to residential use. However, LP policy H2 for extensions to dwellings and the Council's adopted supplementary planning document (SPD) 'The Conversion of Farm Buildings' (2005) are relevant and accord with the National Planning Policy Framework which seeks to ensure that new development responds to local character and history, reflects the identity of local surroundings and reinforces local distinctiveness. The SPD does not prevent new garage buildings but seeks to ensure that they do not harm the character and setting of former farm buildings.

6. The appeal site lies on the edge of the small village of Marston Montgomery on a corner. It is clearly seen in the approach from the south west along Somersal Lane. The rural, agricultural character of the village derives from the number of traditional farmhouses, cottages and former barns (notwithstanding that others have permission for demolition and re-development) that are interspersed with more modern dwellings along narrow lanes from which the surrounding countryside is clearly seen.
7. The barn has an L-shaped rectangular plan form, comprising a single storey block and a two storey block. It has been sensitively converted, retaining its original openings and minimising new ones, so that its original agricultural character is evident. This contributes positively to the rural character and appearance of the surrounding area.
8. The proposed garage would be sited in front of the building, close to its Somersal Lane elevation and close to the junction of Somersal Lane and Barway. I have noted that the appellant intends to create a courtyard effect and that the proposal includes matching external materials, details such as vents in the brickwork and keeps the height to a minimum so that the second storey would remain visible.
9. However, rather than creating a courtyard effect, its detached siting and position forward of the building would disrupt the view of the building when seen from Somersal Lane and from the relatively prominent corner on which the appeal site is located. It would appear visually detached and as a result its small size and square plan form would appear at odds with the larger size and rectangular plan form of the barn, creating a lack of unity and an incongruous addition to the former farm building. I conclude then that, by reason of its siting, this would harm not only the character and appearance of the existing building but also that of the surrounding area. It would conflict with LP policy H2, with the Council's SPD and with the Framework.
10. At my visit I saw that there are other detached garages in the immediate area but those have a different context in that they do not sit in front of a former farm building. Whilst the siting for the garage was occupied previously by large corrugated iron sheds prior to the conversion, those are no longer there and the proposed garage would not provide any environmental enhancement. These matters do not, therefore, persuade me to alter my findings in regard to this proposal.

Conclusion

11. As I have concluded that the proposed development would result in harm to the character and appearance of the area, it would not fulfil the environmental dimension of the Framework. This harm is significant and demonstrable and in this case there are no benefits that would outweigh it. This leads me to conclude that the proposal is not sustainable development and it would be contrary to the development plan and to the Framework as a whole. I have taken into account all other matters raised but none is sufficient to alter the outcome of my findings. The appeal should be dismissed.

Sarah Colebourne

Inspector