
Appeal Decision

Site visit made on 15 February 2017

by Keith Manning BSc (Hons) BTP MRTPI

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

Decision date: 23 February 2017

Appeal Ref: APP/P1045/W/16/3163651

**Barn & Land, Brick Kiln Lane, Wash Green, Wirksworth, Derbyshire
DE4 4FD**

- 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 & Mrs R Lambeth against the decision of Derbyshire Dales District Council.
 - The application Ref 16/00151/FUL, dated 2 March 2016, was refused by notice dated 14 June 2016.
 - The development proposed is conversion and extension of barn to form holiday let and erection of replacement storage building.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The appellants signified on the appeal form that they are agreeable to the changed description of development put forward by the Council in processing the application. That is the description I therefore adopt for the purposes of determining this appeal.

Main Issues

3. The main issues are:-
 - the effect of the proposed development on the character and appearance of the building in its essential context; and
 - its effect on the character or appearance of the Wirksworth Conservation Area

Reasons

4. The appeal site is a small stone and brick field barn within a paddock on the rural fringe of Wirksworth and the land around controlled by the appellants is used for various purposes including a tree nursery and the keeping of bees and poultry. The proposal is motivated by a desire to diversify their activities and generate additional income. The land immediately behind is occupied by a ramshackle corrugated structure and various items stored outdoors. The purpose of the stable-like replacement proposed is to tidy the site and improve the prospect for holiday makers occupying the extended barn.

5. The building within an area of sloping rural land crossed by a number of footpaths, albeit visibility is limited to some degree by boundary walls and vegetation. Although not as widely visible and conspicuous in the landscape as some field barns are, it is nevertheless part of the more enclosed and intimate rural scene here and can be viewed in profile on approach up the track/public footpath which runs alongside the structure.
6. Field barns are fairly typical of the area and are characteristically very simple in structure and appearance, reflecting their essential functionality. Pressure to convert farm buildings more generally is sufficient to have prompted the Council to have produced a supplementary planning document (SPD) dealing with the topic, adopted in 2007 and therefore of sufficient status to carry significant weight as a material consideration, albeit not the full weight that could be accorded to the development plan.
7. In guiding developers on extensions and additions, the Council's SPD sets out its expectations, amongst which respect for and harmonisation with the existing building in terms of size, scale, form and massing and retention of the original as the dominant element are the most relevant principles in this case. These apply whether or not the building is within a conservation area.
8. The development plan comprises saved policies of the Derbyshire Dales Local Plan adopted in 2005. Policy SF4 concerns development in the countryside and to the extent that it seeks to stimulate the growth of tourism and farm diversification in the interests of the rural economy, whilst protecting its character and appearance, it is broadly consistent with the fifth core principle set out in paragraph 17 of the National Planning Policy Framework and may be accordingly be given the full weight generally due to an adopted development plan policy. A proposal of the type at issue would be acceptable under the policy provided, amongst other things, it represented acceptable re-use, adaptation or extension of an existing rural building.
9. Policy SF5 seeks to secure , amongst other things, good design in context and the maintenance of local distinctiveness, again objects which are consistent with the intentions of the Framework and worthy of full weight in terms of the primacy of the development plan.
10. In this case, the proposed development includes the extension of the field barn by the addition of what, in practice, would appear as a substantial projection at right angles to it with a ridge height almost to that of the original barn and eaves at a height which exceed those on the elevation to which it would be attached. The visual impact of the design proposed would belie the relatively modest increase in ground floor area and the consequence would be an increase in bulk visually emphasised by a complex form of roof, an approach which can be deployed in the case of certain domestic extensions without undue harm to the character and appearance of the host dwelling.
11. However, the host building in this case is a small field barn which contributes to the character and appearance of its essentially rural context by virtue of its very simplicity, making it instantly recognisable for what it is. The Council's Design and Conservation Officer and the Conservation Advisory Forum both criticise the proposed design as effectively insensitive and harmful to the building and inappropriate to its context. The Design and Conservation Officer goes so far to say that the host building would be 'unrecognisable' as a traditional Derbyshire Field barn. Whilst from the closest public viewpoint of

the lane immediately adjacent to the building that might not be so, from most other perspectives the criticism would hold good, including on the approach up the track.

12. Even though it is proposed to use matching materials, the impact on the original form of the building would be inescapable and would seriously erode its character and appearance. It follows that its contribution to the rural character and appearance of the area would also be eroded commensurate with the contribution to it that the building currently makes.
13. For these reasons I consider that the harm to the character and appearance of the building in its essential context would be significant and would give rise to harmful conflict with the intentions of policies SF4 and SF5 of the local plan.
14. That harm would be given added force by the fact that the site falls within the extensive Wirksworth Conservation Area, the appraisal for which notes the positive contribution which historic farm buildings make to its character and appearance.
15. By virtue of s72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I am required in this case to pay special attention to the desirability of preserving or enhancing the character or appearance of the Wirksworth Conservation Area. That statutory duty of general applicability is reflected in the Framework and in policy NBE21 of the local plan; and the effect of the proposal on the heritage asset that the conservation area represents, and on its significance, is a key concern as harm in that context merits considerable importance and weight.
16. In the light of my conclusions on the first issue I have no difficulty in concluding that the harm to the character and appearance of the building in its essential context would have the commensurate effect of failing to preserve both the character and the appearance of the Wirksworth Conservation Area. As the harm to the significance of this designated heritage asset would in my view be less than substantial it falls, following paragraph 134 of the Framework, to be weighed against the public benefits of the proposal.
17. Improvements to the rural economy are clearly a public benefit and the tidying of the site to the rear of the field barn would be a public benefit as far as the appearance of the conservation area is concerned. However, I am not persuaded that the particular form of extension to the field barn is the only way in which it could viably be brought into use as a very simple and basic form of accommodation such as that suggested by the current drawings. Nor am I persuaded that the proposal overall is necessarily the key to tidying the site, the implementation of which intention is implicit in the simple replacement storage building proposed.
18. The appellants suggest that the proposal falls to be considered under the presumption in favour of sustainable development but the development plan is neither silent nor out-of-date in respect of relevant policies; and footnote 9 to the Framework in any event includes designated assets in the list of potential restrictions which negate the so-called weighted presumption of paragraph 14.
19. The proposal clearly involves two distinct and potentially divisible elements and I have therefore considered the possibility of a split decision. However it seems to me that the positioning or orientation of the proposed storage building could

be influenced by the manner in which the field barn might ultimately be restored if a less harmful scheme were to be devised for the field barn. Bearing in mind also that I have not been asked to split the decision, I have not considered that possibility or the specific merits of that element of the proposal further.

20. I have taken all other matters raised in relation to the field barn into account but none are sufficient singly or in combination to persuade me that there are material considerations sufficient to outweigh the intentions of either the development plan or those of national policy. I therefore conclude that the appeal should be dismissed.

Keith Manning

Inspector