
Appeal Decision

Site visit made on 24 January 2017

by D Boffin BSc (Hons) DipTP MRTPI Dip Bldg Cons (RICS) IHBC

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

Decision date: 8 March 2017

Appeal Ref: APP/M9496/W/16/3160867

Wigtwizzle Barn, Lee Lane, Wigtwizzle, Sheffield, South Yorkshire S36 4ZA

- 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 Harvey Lidster against the decision of Peak District National Park Authority.
 - The application Ref NP/S/0216/0142, dated 10 February 2016, was refused by notice dated 14 April 2016.
 - The development proposed is described as "*retention of existing building with alterations and use for agricultural purposes*".
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I noted on site that the building as shown on the submitted drawings has been substantially completed. However, the door and window openings and internal layout would be altered as part of the submitted appeal proposals. Consequently, I will determine this appeal on the basis of the submitted plans.

Main Issue

3. The main issue is whether the proposal would conserve the landscape and scenic beauty of the Peak District National Park (PDNP).

Reasons

4. The appeal site comprises a walled paddock in close proximity to the junction of Lee Lane, Alias Lane and Moor Lane and lies within the PDNP. It is adjacent to a small group of buildings within the hamlet of Wigtwizzle. The site slopes up from the highway and forms part of a wider landscape of enclosed pasture and woodland with some isolated stone farmsteads. The picturesque location contributes positively to the landscape and scenic beauty of the countryside and the PDNP.
5. The building that has been constructed on the appeal site is of natural stone walls and has a stone slate roof. Due to the sloping topography the building is at a slightly higher level than Lee Lane and is readily visible from the adjacent highways. I note the photographic evidence that shows the previous structure that was on this site. Both parties have referred to an appeal decision¹ against an enforcement notice on the appeal site and I have taken this into account in my determination of this appeal.

¹ APP/M9496/C/15/3006175 – 2 October 2015

6. Paragraph 115 of the National Planning Policy Framework (the Framework) states that great weight should be given to conserving landscape and scenic beauty in National Parks as they are one of the designations that have the highest status of protection in relation to landscape and scenic beauty. Policy GSP1 of the PDNP Core Strategy (CS) reflects this paragraph of the Framework.
7. Wigtwizzle is not a settlement identified in CS Policy DS1 where some new build development may be acceptable. The appeal site is therefore in the countryside where, in accordance with CS Policy DS1, only certain forms of development including agriculture and forestry would be acceptable in principle.
8. Saved Policy LC13 of the PDNP Local Plan (LP) states, amongst other things, that new agricultural and forestry buildings will be permitted provided that they are close to the main group of buildings, respect the design of existing buildings and avoid harm to the area's valued characteristics. The supporting text to this policy requires that applications should be accompanied by full explanations of the agricultural proposals with which they are associated to allow for proper assessment.
9. CS Policies GSP1 and DS1 and LP Policy LC13 are broadly consistent with the Framework and, as such, I give them significant weight.
10. The Agricultural Developments in the PDNP Supplementary Planning Guidance (SPG) states that it recognises the essential role played by agriculture in maintaining the National Park's countryside. It also states that as the most extensive source of new development in the countryside, agriculture has great potential to impact on its appearance with new farm buildings, farmhouses and associated structures. It goes on to state that *"if you do not supply adequate information to justify your proposal your application may lead to refusal"*.
11. There is no detailed evidence to justify the proposal in relation to an agricultural or forestry use. Moreover, the evidence provided is contradictory in relation to the amount of land owned by the appellant and the purpose of the building. In the support report submitted with the planning application it is stated that the building is required for use as a wood and tool store. Whereas in the grounds of appeal the appellant states that the building is required to provide a safe and secure store for animal feed and medicines and maintenance materials.
12. Even though the appellant has stated that he owns a significant amount of agricultural and forestry land in close proximity to the appeal site I have not been provided with a plan to indicate the location of this land holding. As such I have no evidence to show how the building would be related to the agricultural or forestry land that it is intended to serve. Furthermore, I have also not been given any details of the appellant's agricultural or forestry enterprise other than his main business is located in Barnsley.
13. The building is located adjacent to a group of buildings, it is constructed from natural stone and stone slate and it replaced a previous structure that had fallen into disrepair. As such, the design of the building and its materials are sympathetic to the vernacular architecture of the surrounding area. I also acknowledge that the removal of some of the windows and the widening of the main front door opening would reduce the domestic appearance of the building.
14. However, all of the internal doors would remain at a domestic scale. The Inspector in the previous appeal stated *"A hall and internal doors of a domestic*

scale would limit the type of agricultural machinery that could be stored in the room designated as a "tool and machine store" on the plans. The need for two entrances into this room is rather strange." The internal layout in this respect would not be amended. Overall the alterations as shown would not have a significant impact on the functional layout of the building.

15. As such I share the previous Inspector's concerns and that of the Council that this building would not appear to have been designed, even with the amendments, as a functional agricultural or forestry building. This is compounded by the lack of justification in agricultural or forestry terms for the proposal. I have no evidence that the proposal would be treated as any of the other forms of development that are indicated in CS Policy DS1 as being acceptable in principle in the countryside. Consequently, the proposal would conflict with the development strategy and this policy.
16. I note the appellant has suggested a condition restricting the use of the appeal proposal to agriculture/forestry. However, due to my findings above in relation to the internal layout of the building the imposition of a condition would be unreasonable. Furthermore, such a condition would not overcome the concern I have regarding whether the proposal is justified as necessary agricultural/forestry development in the countryside and the PDNP.
17. The appellant has stated that he would have to apply for planning permission to erect a building in another location that is remote from this site, would be isolated and would be more obtrusive than this proposal if this appeal is dismissed. However, I have to determine the appeal on its own merits.
18. Whilst the amended design of the building would be sympathetic to the rural vernacular of the area the construction of built form on this site has an inherent and harmful urbanising impact. Moreover, the building is in a prominent location in close proximity to a road junction and is readily visible from the public highway.
19. Consequently, the proposal would not conserve the landscape and scenic beauty and the valued characteristics of the PDNP. It would also fail to conserve and enhance the area's natural beauty which is a statutory purpose of the PDNP. It follows that the proposal would conflict with CS Policy GSP1 which seeks development that secures the National Park purposes and is sustainable and LP Policy LC13 which includes seeking new agricultural or forestry development that avoids harm to the area's valued characteristics.
20. The decision notice does not refer to CS Policies GSP1 and DS1 but the Council's Officer Report does and the policies are relevant in this case and they are before me. The proposal would also conflict with paragraph 115 of the Framework and the guidance in the SPG.
21. As such, on the basis of the evidence before me I conclude that the proposal would conflict with the development plan as a whole and, having had regard to all other matters raised, I dismiss the appeal.

D. Boffin

INSPECTOR