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## Appeal Decision

Site visit made on 20 June 2017

**by Siobhan Watson BA(Hons) MCD MRTPI**

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

**Decision date: 23 June 2017**

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**Appeal Ref: APP/F1040/W/17/3171178**

**"The Hill", Sinfin Lane, Barrow-on-Trent, Derbyshire, DE73 7HH**

- 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 Atwal against the decision of South Derbyshire District Council.
  - The application Ref 9/2016/1141, dated 26 October 2016, was refused by notice dated 21 December 2016.
  - The development proposed is an extension to barn to form gymnasium with ancillary accommodation.
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### Decision

1. The appeal is dismissed.

### Main Issue

2. The main issue is the effect of the proposed extension upon the character and appearance of the countryside.

### Reasons

3. The site is outside of any defined settlement. The barn to be extended is on agricultural land but close to a group of dwellings, which I understand to include the appellant's home and 2 large holiday lets. The proposed extension to the barn would house a gym for both the personal use of the appellant and the guests in the holiday homes.
  4. The extension would be single storey and would be subservient in size to the barn. That said, with a footprint of some 11.6m x 5.8m it would be a sizeable structure which would be seen from both the residential complex and from across the surrounding fields.
  5. I appreciate that the external materials would match the existing building and that the extension would be seen against the backdrop of the dwellings. However, the extension would extend the residential complex further into the countryside thereby increasing the overall footprint and massing of the developed area. This would have a suburbanising effect upon the landscape and would intrude upon the open nature of the countryside.
  6. I therefore conclude that the proposed extension would harm the character and appearance of the countryside. Consequently, I find conflict with Policy EV1 of the South Derbyshire Local Plan, 1998 and Policy BNE4 South Derbyshire Local Plan Part 1, 2016 (LP), which both seek to protect the character of the
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landscape. It would also conflict with Paragraph 17 of the National Planning Policy Framework (the Framework) which says that planning should recognise the intrinsic character and beauty of the countryside.

7. I also find conflict with Policy BNE5 of the emerging South Derbyshire Local Plan Part 2 which also seeks to protect the character of the landscape.

### **Other Matters**

8. The appellant argues that the proposal would conform to LP Policy S1. However, whilst Policy S1 supports and encourages tourism it also seeks to protect the District's landscape and rural character.
9. He also argues it would accord with LP Policy INF10 which permits tourism in or adjoining the urban area, in Key Service Villages and in other appropriate locations where identified needs are not met by existing facilities. However, the site is in the open countryside, which, for the reasons given above, is not an appropriate location for such a building. Furthermore, whilst the appellant has identified a gymnasium as being desirable for his business interests (and has supported this point by a letter from a letting agent) I have no substantive evidence that there is an identified need for holiday home gymnasiums in the wider area. In addition, Policy INF10 says that new tourism development that is likely to give rise to undue impacts on the local landscape will be refused. Therefore, the proposal would not satisfy Policy INF10.
10. The appellant has also drawn my attention to Paragraph 28 of the Framework which supports rural tourism development that respects the character of the countryside. As I have found that the development would harm the character of the countryside, it would not accord with the Framework.
11. The barn does not appear to have any physical or functional association with any of these dwellings. Therefore, I disagree with the appellant that an extension to it could be considered as a house extension.

### **Conclusion**

12. For the above reasons, I dismiss the appeal.

*Siobhan Watson*

INSPECTOR