



Appeal Decision

Site visit made on 24 October 2017

by Elizabeth Pleasant DipTP MRTPI

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

Decision date: 10 November 2017

Appeal Ref: APP/M1005/D/17/3180834

Longacre House, Stones Farm, Markeaton Lane, Derby DE22 4NH

- 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 Gemmil against the decision of Amber Valley Borough Council.
 - The application Ref AVA/2017/0115, dated 31 January 2017, was refused by a notice dated 16 May 2017.
 - The development proposed is a 1.5 storey extension and alterations to Longacre House, along with the demolition of the existing double garage, the erection of a triple garage, the construction of a boundary wall, and gated entrance.
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Decision

1. The appeal is dismissed insofar as it relates to a 1.5 storey extension and alterations to Longacre House. The appeal is allowed insofar as it relates to the construction of a boundary wall, gated entrance and the demolition of the existing double garage and the erection of a triple garage in accordance with the terms of the application, Ref AVA/2017/0115, dated 31 January 2017, so far as relevant to that part of the development hereby permitted and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans, so far as relevant to that part of the development hereby permitted, prepared by Justin Smith Architects, dated January 2017: Site Location Plan; Existing Block Plan; Proposed Block Plan; Existing Site Plan; Proposed Site Plan; Proposed Front ISO; Proposed Rear ISO; Proposed Ground Floor Plan; Proposed Garage Roof Plan; Proposed Garage Floor Plan; Proposed North East Elevation; Proposed South East; Proposed South West Elevation; Proposed North West Elevation; Proposed Garage Elevations; Proposed Approach Visual; Proposed Frontage Approach Visual; and Proposed Rear Visuals.
 - 3) No development shall commence until details / samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details / samples.

Preliminary Matter

2. For the reasons that follow, I find that the proposed demolition of the existing double garage, the erection of a triple garage, the construction of a boundary wall and gated entrance to be acceptable and clearly severable physically from the proposed 1.5 storey extension and alterations to Longacre House. Therefore I intend to issue a split decision in this case and grant planning permission for the demolition of the existing double garage, the erection of a triple garage, the construction of a boundary wall, and gated entrance.

Main Issue

3. The main issue in this case is the effect on the character and appearance of the host building and surrounding area.

Reasons

4. Longacre House forms part of a small group of converted barns at Stones Farm. The barns are constructed in brick with plain tiled roofs. Despite some minor domestic additions, eg conservatory, porches and chimney stacks, the buildings retain a simple utilitarian form. Moreover, the consistency of their external facing materials and uninterrupted, simple roof planes create a visually distinct and harmonious collection of buildings.
5. The appeal proposal would introduce contemporary additions to the existing dwelling. Whilst I understand that the alterations have been designed to reflect an agricultural character, the bulk and form of the first floor additions would contrast sharply with the existing simple roof structures which prevail on this collection of converted barns. The use of contemporary materials would further diminish the existing uniform appearance of the building which contributes significantly to the character and appearance of this farmstead.
6. The original horseshoe form of the building would remain, and the removal and replacement of the hipped roof with a glazed gable on the southern offshoot would not be an uncharacteristic alteration to the building. However, the scale and form of the additions would appear incongruous and significantly alter the original proportions of the buildings. Consequently, its intrinsic character and indeed the character and appearance of the farmstead as a whole would be diminished. Whilst the use of contrasting materials would enable the form of the original building to be discerned, the uniformity of the existing materials of construction make an important contribution to this the farmsteads locally distinct character.
7. For the reasons given above I conclude that the proposed extensions and alterations to Longacre House would have a harmful effect on the character and appearance of host property and the surrounding area. They would conflict with the development plan, and in particular with saved Policy H5 of the Amber Valley Borough Local Plan, 2006 (LP) which seeks to ensure, amongst other criteria, that outside the built framework of settlements, extensions to existing dwellings do not significantly change the scale or character of the dwelling and its surroundings. I also find conflict with Policy LS3 of the LP which is consistent with the National Planning Policy Framework¹ in seeking to conserve

¹ Paragraph 60 National Planning Policy Framework.

or enhance local distinctiveness and respecting the character of the locality in terms of the scale and nature of development, its layout, density, height, massing, architectural style, materials and landscaping. The proposed extensions similarly conflict with the general advice for extensions set out in the Council's adopted Supplementary Planning Document, Residential Development, 2007 (SPD) which requires all proposals for extensions to be of a high standard of design that complements the scale and style of the existing house. However, I find no conflict with Policies H6 and H12 of the LP which relate to new housing and conversions which do not form part of this appeal proposal.

8. The proposed development also includes a new boundary wall and gated entrance, as well as the demolition of an existing detached double garage and replacement with a triple detached garage. The boundary wall would be located along the site's northern boundary, separating it from the yard area of Stones Farm. It would not therefore be visually conspicuous from the surrounding open countryside and its design and use of materials would reflect that existing walling within the farmstead. I do not therefore consider that the proposed boundary wall or gated entrance would be visually incongruous in this location, nor would they have a harmful impact on the open character and appearance of the surrounding countryside.
9. The existing garage on this site, by reason of its siting, scale and steeply pitched roof has a domestic appearance which does not sit comfortably adjacent to the converted farm buildings. In particular, its gabled flank wall is particularly prominent on the approach to the site.
10. The replacement garage would be positioned further away from the converted barns and its proposed design and use of materials, including timber and metal cladding, would result in a visually distinct building which would be more reflective of a modern farm building. Although the building would have a larger footprint than the existing garage, it would still be sited within the garden area of Longacre House. Its dark colour, robust form and utilitarian appearance would ensure that it would not be visually incongruous in this location, nor would it result in an encroachment into open countryside. Moreover, its siting and design would improve the setting of the visually distinct collection of farm buildings which I have described above.
11. I conclude that the proposed boundary wall, gated entrance and the demolition of the existing double garage and the erection of a triple garage would not have a harmful effect on the character or appearance of the surrounding area. I therefore find no conflict with the development plan, including Policies H5 and LS3 of the LP the aims of which are set out above.

Other Matters

12. I recognise that Longacre House has the benefit of permitted development rights; however the existence of those rights does not justify the harm that I have identified in the main issue above. Furthermore, I am not convinced that any permitted extensions would be significantly more harmful than those proposed in this case. I therefore give this consideration limited weight.

Conditions

13. The Council has suggested a number of conditions which I have considered against advice in the Framework and Planning Practice Guide.
14. A condition specifying the approved plans is necessary as this provides certainty. A condition requiring details of the materials to be agreed is before development is commenced is necessary to safeguard the character and appearance of the area.
15. The Council has suggested a condition specifying the use of the garage for the parking of cars only, and prohibiting business use. However, the proposed development is not for business purposes and there is sufficient space within the site for the parking vehicles off the road without the need to secure garage space. It is not unusual nor indeed would it be harmful for the garage to be used for other domestic purposes, eg storage, provided those uses are ancillary to the residential use of the site. I do not therefore consider that the suggested condition would be reasonable or necessary.

Conclusion

16. For the reasons given above and taking into account all other matters raised, I conclude that the appeal should be allowed in so far as it relates to the construction of a boundary wall, gated entrance and the demolition of the existing double garage and the erection of a triple garage, and dismissed insofar as it relates to a 1.5 storey extension and alterations to Longacre House.

Elizabeth Pleasant

INSPECTOR