



Appeal Decision

Site visit made on 5 November 2019

by R Morgan MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2019

Appeal Ref: APP/M9496/W/19/3235248

The Storage Barn, Folds Lane, Calver, Derbyshire S32 3AB

- 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 David Middleton against the decision of the Peak District National Park Authority.
 - The application Ref NP/DDD/1018/0893, dated 1 October 2018, was refused by notice dated 8 March 2019.
 - The development proposed is change of use from a storage unit to a self-contained holiday accommodation with a two storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. Since the application was determined, the Council has adopted Development Management Policies (May 2019) which replace the Saved Local Plan policies referred to in the decision notice. However, the heritage and amenity protection aims of both sets of policies are similar and so neither party has been prejudiced by this change in policy circumstances.
3. Amended plans were submitted to the Council during the course of the application. The Council determined the application on the basis of both the original and the amended plans, and the decision notice relates to either option. The appellant has confirmed that their grounds of appeal relates to the amended plans (Revision A) and I have therefore assessed the appeal on that basis.
4. The second reason for refusal relates to a lack of information about protected species and their habitat. During the course of the appeal a bat survey was carried out and the resultant report has been submitted. The Council has confirmed that this provides sufficient information to enable an assessment in accordance with relevant policies and has confirmed that it no longer wishes to defend this reason for refusal. As such, there is no longer any dispute between the parties in relation to this issue so I have not addressed it in the reasoning below.

Main Issues

5. The main issues are the effect of the proposal upon:

- 1) the character and appearance of the host building; the Calver Conservation Area and the Peak District National Park;
- 2) the living conditions of the occupiers of the neighbouring property known as Stonehaven, with particular regard to overlooking and loss of privacy.

Reasons

Character and appearance

6. The appeal property is located on Folds Lane within the old part of the village of Calver. It has been identified by the Council and the appellant as a non-designated heritage asset. It is also within both the Calver Conservation Area and the Peak District National Park.
7. The statutory purposes of National Parks are of conserving and enhancing the natural beauty, wildlife and cultural heritage and of promoting opportunities for the understanding and enjoyment of the special qualities of those areas by the public. If it appears that there is a conflict between those purposes, it is my statutory duty to attach greater weight to the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area comprised in the National Park.¹
8. Paragraph 170 of the National Planning Policy Framework (the Framework) indicates that planning should protect and enhance valued landscapes and recognise the intrinsic character and beauty of the countryside. Paragraph 172 of the Framework indicates that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks. National Parks, along with the Broads and Areas of Outstanding Natural Beauty, have the highest status of protection in relation to these issues. The conservation and enhancement of cultural heritage should also be given great weight in National Parks and the scale and extent of development should be limited. I must also assess whether the proposal preserves or enhances the character or appearance of the conservation area.
9. A detailed heritage statement was submitted with the planning application. The statement notes that the Storage Barn forms part of the agricultural grouping of Folds Farm, one of Calver's four original agricultural groupings which surrounded an early seventeenth century Hall. The Hall was owned by a powerful local sheep farming family and formed the core of development along High Street and Main Street.
10. The Storage Barn is a two storey, single cell building constructed of limestone rubble with a stone slate roof. To the front (east) elevation is a high quality cart entry with a horizontal window opening beneath the eaves. The heritage statement identifies the building as being eighteenth century but possibly older.
11. The building, which is now in a state of disrepair, has been adapted and altered over time, with evidence of a now demolished building to the south. The window in the north gable is a blocked up door which appears more likely to have been an internal door between lofts, rather than an external door. This, together with documentary evidence from historic maps, suggests that the

¹ National Parks and Access to the Countryside Act 1949

barn as it stands today once formed part of a longer building with further cells to the north and south.

12. Although now in poor condition, the building is an interesting feature which provides evidence of the historical development of the area. The fabric of the building and the site as a whole provides an archaeological record of its earlier form and use. The site is valued locally and contributes to the character and appearance of the conservation area, as well as forming part of the cultural heritage of the National Park.
13. The proposal involves extension of the building to the side and rear to facilitate a change of use to provide holiday accommodation. The proposed side extension would be similar in width to the existing building and would fill the gap between the barn and the adjacent garage. The extension would be set back from the existing building with a lower ridge height, reflecting the likely position of the ridge of the former building to the south. Given the existence of the earlier building and taking account of the proposed set back and lower ridge line, I consider the scale and position of the proposed side extension to be acceptable in relation to the host building and the conservation area.
14. The proposal also includes a single storey rear extension. This would not reflect the original longitudinal form of the building, but follows a suggestion in the heritage statement that excavation at the west side of the building could facilitate more discrete solutions to vertical circulation and plumbing facilities, in order to preserve internal spaces in a more uncluttered way.
15. The rear extension would involve the loss of existing fabric on the west elevation, however the heritage statement has confirmed that this is of little merit, other than that below ground and the first 50cm above ground. A scheme of archaeological investigation would be necessary to ensure that any loss of original fabric and features of interest could be identified and recorded. Taking these factors into account, I consider that on balance, the scale and position of the proposed rear extension would be acceptable.
16. Notwithstanding the above, I have concerns about the treatment of the front elevation of both the proposed side extension and the existing building. In particular, I share the Council's concerns that the fenestration and the proposed total glazing of the cart entry would be overly domestic and unsympathetic to the agricultural origins of the host building. In addition, the seven rooflights proposed to the rear elevation appears excessive and out of character with the simple agricultural form of the building. As a result of these factors, harm would be caused to the character of the building and the wider conservation area.
17. It is not clear whether the proposed external stair to the north elevation reflects any such earlier structure in this position. Notwithstanding that, the projection of the bottom of the stair beyond the front elevation of the building appears awkward and would cause further harm to the character of the building.
18. I conclude that, as a result of its detailed design, the proposed development would cause harm to the host dwelling and the Calver Conservation Area. With regard to paragraph 196 of the Framework, this harm would be less than substantial as it would affect a small part of the heritage asset. However,

paragraph 193 of the Framework requires that great weight should be given to an asset's conservation, irrespective of the level of harm.

19. The Framework requires that harm to the conservation area should be weighed against the public benefits of the proposal. The main benefit of the scheme is the repair and appropriate re-use of the building, which is necessary to secure its future and to avoid further decline in the fabric of the building. However, this benefit could be secured through a more sensitive and sympathetic scheme and as such does not outweigh the harm identified.
20. I conclude that the proposal would fail to preserve or enhance the character and appearance of the host building; the Calver Conservation Area and the Peak District National Park. Consequently, the proposed development would conflict with the Framework and would be contrary to Policies GSP3 and L3 of the Peak District National Park Core Strategy 2011. These policies are concerned with the impact of development on the character and setting of buildings, and the conservation of cultural heritage assets. There would also be conflict with Policies DMC1, DMC3, DCM5, DCM8 and DCM10 of the Development Management Policies, which, amongst other considerations, require development to respect valued characteristics of the site and area; be of a high standard of design and conserve and enhance the significance of heritage assets including Conservation Areas.

Living Conditions

21. The proposed development would include a new external staircase on the north elevation leading to a door at first floor level which would serve the living area. The door would be part glazed and would allow views across the garden and towards the rear elevation of the adjacent single storey property, Stonehaven.
22. The rear elevation of Stonehaven is some 20 metres from the north elevation of the barn, slightly less than the 22 metre minimum separation distance for two storey extensions set out in the Alterations and Extensions design guide. Although the garden area is not particularly private, the proposals would nonetheless introduce the potential for overlooking from a higher level, either through the window or through the door if this was left open.
23. The appellant has suggested that to overcome any potential harm, the window could be obscurely glazed and/or the door sealed shut. Whilst this is a realistic option in respect of the window, I am not convinced that a requirement to keep the door shut would be reasonable or enforceable.
24. I conclude on this issue that the proposal would cause harm to the living conditions of the occupiers of Stonehaven as a result of overlooking and loss of privacy. This harm could not be overcome by the suggested conditions. Consequently, The proposal conflicts with Policy GSP3 and Part 2 Local Plan Policy DMC3 as they relate to living conditions.

Conclusion

25. For the reasons given, I conclude that the appeal should be dismissed.

R Morgan

INSPECTOR