



Appeal Decisions

Hearing held and site visit made on 3 December 2019

by Brendan Lyons BArch MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 16 March 2020

Appeal A: APP/M9496/W/19/3228099

Mitchell Field Farm, Hathersage, Hope Valley S32 1BR

- 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 Peter Tabern and Kim Burke against the decision of the Peak District National Park Authority.
 - The application Ref NP/DDD/1018/0906, dated 3 October 2018, was refused by notice dated 12 February 2019.
 - The development proposed is described as: Partial demolition of a linking structure built in 1990s. Construction of a replacement linking structure on similar footprint, internal alteration of external stone stair. Alteration of internal stair and construction of wall in existing ancillary accommodation/barn conversion to provide accommodation for a dependant relative. Removal of stud partitions and partial removal of walling to relocate kitchen. Extension of external terrace and 20thC wall. Proposals for woodburning stove, external door to farmhouse and external lights.
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Appeal B: APP/M9496/Y/19/3228100

Mitchell Field Farm, Hathersage, Hope Valley S32 1BR

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Peter Tabern and Kim Burke against the decision of the Peak District National Park Authority.
 - The application Ref NP/DDD/1018/0907, dated 3 October 2018, was refused by notice dated 12 February 2019.
 - The works proposed are described as: Partial demolition of a linking structure built in 1990s. Construction of a replacement linking structure on similar footprint, internal alteration of external stone stair. Alteration of internal stair and construction of wall in existing ancillary accommodation/barn conversion to provide accommodation for a dependant relative. Removal of stud partitions and partial removal of walling to relocate kitchen. Extension of external terrace and 20thC wall. Proposals for woodburning stove, external door to farmhouse and external lights.
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Decisions

1. Appeal A is allowed and planning permission is granted for: partial demolition of a linking structure built in 1990s; construction of a replacement linking structure on similar footprint; internal alteration of external stone stair; alteration of internal stair and construction of wall in existing ancillary accommodation/barn conversion to provide accommodation for a dependant relative; removal of stud partitions and partial removal of walling to relocate kitchen; extension of external terrace and 20thC wall; proposals for woodburning stove, external door to farmhouse and external lights; at

Mitchell Field Farm, Hathersage, Hope Valley S32 1BR, in accordance with the terms of the application Ref NP/DDD/1018/0906, dated 3 October 2018, subject to the conditions set out in the Schedule in Annex A to this decision.

2. Appeal B is allowed and listed building consent is granted for: partial demolition of a linking structure built in 1990s; construction of a replacement linking structure on similar footprint; internal alteration of external stone stair; alteration of internal stair and construction of wall in existing ancillary accommodation/barn conversion to provide accommodation for a dependant relative; removal of stud partitions and partial removal of walling to relocate kitchen; extension of external terrace and 20thC wall; proposals for woodburning stove, external door to farmhouse and external lights; at Mitchell Field Farm, Hathersage, Hope Valley S32 1BR, in accordance with the terms of the application Ref NP/DDD/1018/0907, dated 3 October 2018, subject to the conditions set out in the Schedule in Annex B to this decision.

Preliminary matters

3. It was agreed at the Hearing that the descriptions of the proposed development and works in the headings above, which are taken from the decision notices issued by the National Park Authority ('NPA'), should be used for the decisions in preference to the slightly different wording entered on the original planning and listed building consent application forms.
4. In May 2019, since the applications were refused, the NPA formally adopted its Development Management Policies ('DMP') as Part 2 of the Local Plan for the National Park. A Statement of Common Ground ('SoCG') signed by both parties to the appeals confirms that relevant DMP policies should supersede policies of the former Local Plan referred to in the decision notices, and that these policies with those of the Core Strategy ('CS') adopted in October 2011 should comprise the development plan for the purposes of the appeals.
5. The SoCG explains that before the applications were considered by the NPA members, the proposals were amended to omit several disputed elements. The appeals are to be determined on the basis of these amended proposals. Since the refusals were made, approval has been given to revised applications for planning permission¹ and listed building consent² that include the less controversial aspects of the proposals. It was confirmed at the Hearing that, although uncontentious, these aspects remain part of the appeal proposals. The set of plans to be considered³, which include some relatively minor instances of updating to align with the later approved plans, was also confirmed.

Main Issue

6. In the light of the subsequent permission and consent, the main issue in these appeals is the effect on the special interest of the listed building of the proposed replacement of the existing link structure.

Reasons

7. Mitchell Field Farm lies in an isolated upland location. The farmhouse dates from the seventeenth century, with alterations and additions in the eighteenth

¹ Ref NP/DDD/0419/0330

² Ref NP/DDD/0419/0403

³ Plans Ref 17136/101 G, 102 I, 103 I, 104 H, 105 G, 106 H

and nineteenth centuries. It is listed Grade II. As described in the list entry, the principal building comprises a long two-storey range, built in stone with a gabled roof. This range comprises the original farmhouse and a former shippon which has been converted to residential use and incorporated into the house. Set at right angles to the principal building and some 6.5m away from it is a separate former shippon or 'cow barn', also converted to domestic use with the insertion of an upper floor. The two buildings are linked by a single-storey structure built in 1994 that now provides the main entrance to the house and takes up the change in levels between the two buildings. It comprises stone walls to both sides, one of which was pre-existing, with a pitched glazed roof supported on a plastered inner leaf to each wall. The linked buildings enclose two sides of a raised garden on what was originally the farmyard.

8. The current proposal would involve removal of the link structure, with the exception of the original external wall, which would lose its inner leaf and be made good as required. A new link would be formed with a level floor and altered steps up to the cow barn. The plans indicate that the link would have a frameless glass wall and sliding doors to the garden side, behind which timber and steel flitched columns would support a flat roof with a strip rooflight. The stone floor would be flush with an enlarged outdoor paved terrace. A low doorway would be formed from the link space into a new wc fitted under the existing external flight of stone steps.
9. In considering proposals for alteration to a listed building, statutory duty⁴ requires that special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. National policy set out in the National Planning Policy Framework ('NPPF') confirms the great weight in favour of the conservation of 'designated heritage assets' such as listed buildings⁵. The particular significance of any element of the historic environment likely to be affected by a proposal should be identified and assessed⁶. Any harm should require clear and convincing justification⁷.
10. The applications were supported by a Heritage Statement ('HS') that provides a detailed analysis of the farm's history and context and seeks to assess the special interest of the listed building and the contribution made by its setting. The farmhouse clearly has historic interest as a surviving seventeenth century structure with many original details intact. This is added to by the evidence it provides of subsequent alterations to reflect changing farming and domestic needs, reflecting its association with a prominent local family. The NPA state that the arrangement of the farmhouse and the separate shippon/cow barn has been classified as a 'loose courtyard' layout, a type which is highly characteristic of this part of the Peak District.
11. The farmhouse's architectural interest lies in its vernacular form and treatment using local materials to create an integrated unit of originally domestic and farm elements. The evidence of change shown by the differing treatment of windows adds interest and complexity, without disturbing the harmony of the

⁴ Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, dealing respectively with applications for proposed works and proposed development

⁵ NPPF paragraph 193

⁶ NPPF paragraphs 189, 190

⁷ NPPF paragraph 194

- whole. The cow barn is more functional in character but complements the principal building by its consistent form and materials.
12. The evidence shows that the buildings were historically linked only by a wall, which now forms the outer wall of the link. The wall continues to form a good enclosure when seen from the rising ground to the east, but its other face has been obscured by the thickness of the inner leaf added in the 1990s. This solution, and the matching treatment of the newer wall opposite appears to have been needed to support the glass roof of the new link structure.
 13. This roof is visible above the wall when seen from the rising ground and glimpsed in distant views from the road above the site. It is also seen above the newer wall from the paved area in front of the farmhouses and from the elevated garden. The door in the courtyard wall is fully glazed in a timber frame. This tends to undermine the NPA's assessment that the design of the existing link, particularly by the use of stone for the courtyard wall, has been effective in maintaining the agricultural character of the group.
 14. The glazed door matches the treatment of the door and window openings on the courtyard side of the cow barn. The terrace outside the door is already occupied by garden furniture, and the approved enlargement of this space will allow greater use for outdoor living in future. There is already a very clear impression of domesticity, implemented with some respect for the character of the buildings.
 15. The NPA continue to accept that a link between the buildings is an acceptable consequence of the conversion of the cow barn to residential use, and state that there would be no objection in principle to a replacement. It is acknowledged that the width of any link is effectively fixed by the position of the door opening to the farmhouse. The floor area of the proposed replacement would be virtually the same as the existing.
 16. The NPA also acknowledge that the lightness offered by full glazing in contrast with traditional masonry can often be effective in the design of linking structures, an approach that is endorsed by NPA published guidance⁸. The NPA's specialist advice at pre-application and application stage emphasised the need for the link to maintain historic separation between the farmhouse range and the cow barn, and accepted that a fully glazed wall could be acceptable if it made the link more lightweight in appearance.
 17. In my judgement, subject to final detailing of the glazing and any necessary framing, the appeal proposal would achieve the objective of visual and functional separation that would sustain the separate character of the two buildings. The link would appear as a much more lightweight element. The glazing would allow views through to the original screen wall, washed with light from the strip rooflight above. The possible need to re-face the wall after removal of the existing inner leaf might mean that the view would not be of historic fabric, but there would still be a clearer appreciation of the historic layout than offered by the currently rather misleading solidly built link, with its somewhat clumsy glazed roof. The proposed flat roof would be slim in profile, and could be covered in a material that would respect the context and appear appropriate when seen from the external stairs and in any distant views.

⁸ Supplementary Planning Document: Alterations and Extensions, para 3.10

18. The NPA's major concern that the floor area of the link would make the space appear more as a sunroom than as a functional link would probably not be borne out, given the space's main role as an entrance hall with doors on all four sides. But even if there were some greater perception of internal domestic activity, it should not add greatly to the already well domesticated character of this part of the group. The historic relationship between the two buildings would not be compromised as a result.
19. The elements of the proposals already separately approved have addressed potentially harmful issues, such as the opening of the original farmhouse gable wall for the relocation of the kitchen. The amended plans would now avoid any loss of historic fabric from the farmhouse wall due to the formation of the under-stair cloakroom. The submitted engineer's report gives confidence that the lowering of the door into the cow barn and the alteration to the steps could be carried out without harm. The alterations within the cow barn would affect only relatively recent insertions, with an improved location for an external flue.
20. For the reasons set out above, I find that, subject to final approval of details which can be secured by conditions, the proposals would preserve the special interest of the listed building and its setting. There would be no harm to heritage significance, which would in fact be better revealed by the design of the replacement link.
21. The proposals would comply with national policy on the application of the statutory duty and with the heritage conservation objectives of CS Policy L3 and DMP Policies DMC5 and DMC7. There would be no conflict with the more general design and National Park conservation objectives of CS Policies GSP1, GSP3 and L1 and of DMP Policies DMC1 and DMC3, or with the specific criteria for the design of domestic extensions set by DMP Policy DMH7.

Conditions

22. The NPA has proposed a number of conditions to be applied in the event of the appeals being allowed. Possible amendments and omissions to these were broadly agreed at the Hearing. It was also proposed to add four further conditions that had been imposed on the subsequent listed building consent. I am satisfied that conditions in the form set out in the schedules attached to these decisions would be reasonable and necessary and would meet the tests set out by the NPPF.
23. In both appeals, standard conditions are required to limit the commencement time and to confirm the approved plans.
24. In order to protect the special interest of the listed building, both appeal decisions also need conditions to secure approval and implementation of the detailed design and materials of the proposed replacement link, to include new and existing walls and their insulation, structure, glazing and doors, roof construction and finishes. For the same reason, both decisions need conditions to secure approval of the details of the extended retaining wall and terrace. These can include the treatment of the raised area adjacent to the north-west corner of the cow barn, which appears to have been subject to previous alteration.
25. A further condition would be justified in Appeal A, as was applied to the subsequent planning permission, to confirm that any occupation of the cow

barn wing by a dependant relative is to be ancillary to the occupation of the main dwelling, and that the permission does not create a separate unit.

26. In Appeal B, conditions are necessary to ensure that the under-stair cloakroom could be formed without harm to the farmhouse foundations, in order to protect the special interest of the listed building. For the same reason, and in the interests of certainty, four conditions similar to those applied to the 2019 listed building consent are also necessary in order to confirm that consent is not granted for existing features shown on the submitted plans for which no details have been provided and which are contested by the NPA.

Conclusions

27. For the reasons set out above, I conclude that both appeals should be allowed and planning permission and listed building consent be granted subject to conditions.

Brendan Lyons

INSPECTOR

Annex A

Appeal A: APP/M9496/W/19/3228099

Schedule of Conditions Nos. 1-7

1. The development hereby permitted shall commence not later than three years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans Ref 17136/101 G, 17136/102 I, 17136/103 I, 17136/104 H, 17136/105 G, 17136/106 H.
3. The replacement link extension hereby permitted shall not be erected until full details of the reinstatement of the existing external wall, insulation, structure, glazing and doors, roof windows, roof construction and coverings, roof drainage, and exterior finishes have been submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details.
4. The new external retaining wall hereby permitted shall not be constructed until full details of the walling and of the raised stone slabs adjoining the north-west corner of the former detached shippon (including full construction details, materials and height) have been submitted to and approved in writing by the National Park Authority. The development shall thereafter be carried out in accordance with the approved details.
5. The surface for the new terracing and external steps hereby permitted shall be constructed from natural gritstone flags to match the existing or to match

a specification and sample which shall have first been submitted to and approved in writing by the National Park Authority.

6. The new flue pipe hereby permitted shall be painted or factory colour coated matt black at the time of erection and shall be permanently so maintained.
 7. The accommodation hereby permitted shall be ancillary to the Mitchell Field farmhouse and shall not be occupied as an independent dwelling.
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Annex B

Appeal B: APP/M9496/Y/19/3228100

Schedule of Conditions Nos. 1-11

1. The works hereby approved shall commence not later than three years from the date of this decision.
2. The works hereby approved shall be carried out in accordance with the following approved plans:

Plans Ref 17136/101 G, 17136/102 I, 17136/103 I, 17136/104 H, 17136/105 G, 17136/106 H.
3. The replacement link extension hereby approved shall not be erected until full details of the reinstatement of the existing external wall, insulation, structure, glazing and doors, roof windows, roof construction and coverings, roof drainage, and exterior finishes have been submitted to and approved in writing by the National Park Authority. The works shall thereafter be carried out in accordance with the approved details.
4. The new external retaining wall hereby approved shall not be constructed until full details of the walling and of the raised stone slabs adjoining the north-west corner of the former detached shippon (including full construction details, materials and height) have been submitted to and approved in writing by the National Park Authority. The works shall thereafter be carried out in accordance with the approved details.
5. The surface for the new terracing and external steps hereby approved shall be constructed from natural gritstone flags to match the existing or to match a specification and sample which shall have first been submitted to and approved in writing by the National Park Authority.
6. The new flue pipe hereby approved shall be painted or factory colour coated matt black at the time of erection and shall be permanently so maintained
7. No works to create the cloakroom beneath the external stone steps shall take place until a detailed scheme for the assessment of the depth of footings to the existing shippon adjacent to the cloakroom (including methodology for assessment and location of trial pits) has been submitted to and approved in writing by the National Park Authority, and the proposed finished floor level based on the results of that assessment has been submitted to and approved in writing by the National Park Authority. The

works shall thereafter be carried out in accordance with the approved details.

8. Notwithstanding the approved plans, no consent is granted for the erection of the canopies to the external doors on the north-eastern elevation.
 9. Notwithstanding the approved plans, no consent is granted for the installation of the alarm box on the gable of the north-eastern elevation.
 10. Notwithstanding the approved plans, no consent is granted for the installation of any external lighting or light fittings.
 11. Notwithstanding the approved plans, no consent is granted for any alteration to the front door of the farmhouse on the south-eastern elevation.
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APPEARANCES

FOR THE APPELLANTS:

Caroline McIntyre	Spring Planning
Kathryn Sather	Kathryn Sather & Associates
Simon Gedye	Studio Gedye Architects
Peter Tabern	Appellants
Kim Burke	

FOR THE LOCAL PLANNING AUTHORITY:

Adam Maxwell	Senior Planner
Sue Adam	Conservation Officer

PLANS

Copies of Plans Ref 17136/101 G, 102 I, 103 I, 104 H, 105 G, 106 H