



Appeal Decision

Site visit made on 26 May 2020

by S J Lee BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15th June 2020

Appeal Ref: APP/P1045/W/19/3243212

Keepers Field, Bullhill Lane off Hill Cliff Lane, Ireton Wood, Derbyshire DE56 2EA

- 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 Martin Goodwin against the decision of Derbyshire Dales District Council.
 - The application Ref 19/01090/FUL, dated 18 September 2019, was refused by notice dated 4 December 2019.
 - The development proposed is described as "replacement of mobile home with permanent dwelling house (revision to permission granted under application ref. 18/08333/FUL)".
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the area.

Reasons

Background

3. The appeal relates to part of a field in the open countryside. It is accessed by a long private drive, which rises from its junction with the single track country lane, before dropping down sharply into the field. Within the field is the existing mobile home, plus some additional timber outbuildings, storage container, caravan and other paraphernalia, presumably associated with maintenance of the site and the appellant's game rearing enterprise. The wider site is bounded by mature trees and hedgerows. The field stretches for some distance to the north east and the site slopes markedly in this direction.
4. The site is in an isolated countryside location where a new dwelling would not normally be permitted. However, permission was recently granted on appeal¹ for a rural worker's dwelling that would replace the existing mobile home. The Council acknowledge that the principle of a rural worker's dwelling has been established and have not sought to refuse permission on this basis. Their concerns relate entirely to the design of the dwelling. There is nothing before me to suggest the original permission could not be implemented in the event

¹ Appeal reference: APP/P1045/W/18/3213623

this appeal is dismissed. It therefore forms a realistic fallback position which is material to my decision. I shall return to this below.

Character and appearance

5. The development would be a two-storey dual pitched roof timber clad dwelling. The appellant has clarified that the intention is for the roof to be metal sheeting, although what form this would take is not explained in any detail.
6. While the use of timber may be found on parts of buildings in the area, there is little evidence to suggest that entirely timber clad dwellings of this nature are part of its general character or the local vernacular. In this case, the use of timber would not form part of any complementary detailing or accent. Rather, it would be used exclusively on all external walls. Based on what is before me, I conclude that the extensive use of timber for a dwelling of this type would be uncharacteristic of area and somewhat incongruous.
7. The appellant has drawn my attention to examples of nearby barn conversions which he considers support the design and use of timber. I have not been provided with full details of all of these and cannot conclude with any certainty that they are directly comparable to what is before me. I was however able to view the conversion near to the junction of Hill Cliff Lane and Bullhill Lane. This building's external walls are made up of a mixture of timber and blockwork. It is therefore distinctly different to what is proposed here and does not support the exclusive use of timber cladding.
8. Notwithstanding the appropriateness of the materials, in general the proposed design lacks a coherent identity. The entirely timber clad construction would be typical of a chalet. The incorporation of the covered balcony and veranda would be consistent with this approach. However, the design would not reflect the broad, low pitched roof often associated with such dwellings. The dual pitched roof, footprint and proposed metal sheet roofing would be more reminiscent of an agricultural building. However, the aforementioned balcony and large protruding porch in the front elevation are overtly domestic features that would be atypical of a barn. I am also unconvinced that the height and proportions of the dwelling would be entirely consistent with that of many typical agricultural buildings. All of these factors would significantly dilute and detract from any attempt to reflect an agricultural conversion. The development would not successfully reflect either one architectural style or another.
9. Furthermore, the windows in the front and rear elevations would appear small and under proportioned in relation to the overall scale of the walls. At first floor level, the windows would be located high on the wall just under the eaves and would be arrayed centrally in the elevation. There would be no windows to the left of the door on the ground floor. There would therefore be large expanses of blank timber wall, with little to break up the overall mass of the timber cladding or the considerable bulk of the building. Similar problems would exist on the front elevation where there are no windows at all on the first floor. The impact of this would be exacerbated by the general lack of articulation in the building and the high floor to eaves heights. This would result in a high solid to void ratio that would appear unbalanced and ill conceived. The porch would break up the front elevation to an extent, but this would in itself be a large and bulky protrusion that would not necessarily complement the rest of the building. In my view, this would not result in a good standard of design.

10. No detailed information has been provided about the intended metal roofing material. The plans do not provide much clarity in this regard. The Council has suggested a condition requiring the approval of materials. However, this would only normally be appropriate where there was certainty that the condition could be discharged. While not determinative in its own right, the lack of information on the roofing materials and how this would complement the timber cladding adds to my concerns about the overall design and appearance of the building.
11. The Council has raised concerns over a lack of information relating to the extent of any cut and fill that would be needed to accommodate the dwelling. The appellant has indicated that a depth of 1.5 metres would be necessary. However, no plans have been provided to illustrate how this would be addressed and whether it would have any effect on the character or appearance of the site and the visual impact of the development. The lack of certainty relating to this issue makes it more difficult to fully assess the impact of the development. This also adds to my concerns.
12. The siting of the dwelling, the topography of the site and the extent of intervening landscaping means that the development would be well screened. The dwelling would be a prominent feature within the site itself, particularly when viewed from the lower ground. However, it would not be visible in short or medium distance views from outside the site. The dwelling is also unlikely to be highly prominent from longer distance views, particularly during the summer months.
13. The visual impact of the development would therefore be localised. However, both local and national policy require development to be of a good standard of design. There is nothing to suggest that poorly designed and unsympathetic buildings are inherently acceptable if they are not visually prominent. Importantly, the Inspector in the previous appeal stated that the isolated and secluded nature of the site would not justify a development of a scale, size and appearance which would not reflect the prevailing character and appearance of the wider countryside. In my view, the development would fall into this category.
14. Therefore, while the self-contained nature of the site weighs in favour of the proposal, it does not adequately mitigate the failings of the design. I find that the development would not constitute an acceptable quality of design and would be an unsympathetic and discordant feature. It would therefore be harmful to the character and appearance of the area and be in conflict with policies S4, PD1 and PD5 of the Derbyshire Dales Local Plan (DDLDP)(2017). These seek, amongst other things, to ensure development is of a high quality design that respects and preserves the character and identity of the Derbyshire Dales landscapes and that materials are sympathetic to landscape character.
15. There would also be conflict with the National Planning Policy Framework. In particular, paragraph 127 which seeks, amongst other things, to ensure development is visually attractive as a result of good architecture and sympathetic to local character and history.
16. There would be no conflict with DDLP Policy HC13 in relation to the principle of a rural worker's dwelling on the site. However, this does not alter the conflict with the development plan when taken as a whole.

Other Matters

17. The principle of a rural worker's dwelling has been established. There is also nothing to suggest it would not be of an acceptable size to meet the relevant policy requirements for such a dwelling. However, this does not outweigh the harm identified above.
18. The permitted 'fallback' dwelling would sit on a different part of the site, be orientated differently to that proposed here and be of a significantly different design. Although three storeys, it would appear as a one or 1.5 storey building from some directions. This is owing to a lower ground floor and habitable space in the roof. This would differ significantly to the two storey appearance of the proposal.
19. The proposal would have a smaller floor area than the permitted scheme. However, owing to the difference in design, it would be likely to appear taller and bulkier than what has been permitted. While the permitted dwelling includes timber cladding in its design, this is broken up by the extensive use of gritstone on the lower ground floor and projecting gable. The broad low pitched roof profile is also significantly different, with the floor to eaves height being much lower than proposed here. The permitted scheme also has a greater degree of articulation. This ensures that the timber elements are substantially less dominant in the design. The use of a slate roof and stone would also be more sympathetic to the local area. The approved scheme is therefore a more coherent, visually interesting and sympathetic design than that before me. Accordingly, the fallback would be less harmful than the proposal and thus adds no weight in its favour.
20. The appellant has raised concerns over the way the Council considered the application. In particular, in relation to communication over the issue of additional information relating to levels. The appeal provided an opportunity to address this issue and I have covered the substantive matter relating to this above. The dispute with regard to communications is a matter between the parties and is outside the scope of the appeal. The same can be said for the appellant's general concerns over the Council's approach to other applications.
21. The appellant has suggested the application was made to address the Council's concerns with the original proposal. However, as this had the benefit of planning permission, there was no need to do this. As such, this has had no bearing on my decision. I acknowledge there have been no objections from any statutory bodies or other interested parties. Nevertheless, this does not alter my view that the dwelling would not constitute an acceptable standard of design.
22. Having regard to the foregoing, there are no material considerations that outweigh the harm caused or would justify a decision other than in accordance with the development plan.

Conclusion

23. For the reasons given above I conclude that the appeal should be dismissed.

S J Lee

INSPECTOR