
Appeal Decision

Site visit made on 20 July 2020

by Paul Singleton BSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30th July 2020

Appeal Ref: APP/M9496/W/20/3246109

Barn at Carr Lane, Wetton, Derbyshire DE6 2AF

- 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 the Trustees of Devonshire Maintenance Fund against the decision of the Peak District National Park Authority.
 - The application Ref NP/SM/0719/0729, dated 3 July 2019, was refused by notice dated 15 October 2019.
 - The development proposed is residential conversion of traditional stone barn.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appellant has submitted a signed Unilateral Undertaking (UU), prepared under the provisions of Section 106 of the Town and Country Planning Act 1990 which relates to the making available of one of the dwellings as an affordable home. I have taken the UU and the Council's comments on that document into consideration in my determination of the appeal.

Main Issues

3. The main issues are the effect of the proposal on:
 - a) the setting and significance of the appeal property as a non-designated heritage asset; and
 - b) the character and appearance of the surrounding area including the Wetton Conservation Area.

Reasons

4. The parties agree that the appeal property is a very good example of an historic field barn that should be treated as a non-designated heritage asset for the purposes of paragraph 197 of the National Planning Policy Framework (Framework). My observations on my site visit support those conclusions and indicate that the barn is better preserved than many other historic barns within this part of the National Park and is in generally good structural condition.
5. Paragraph 189 of the Framework requires that, when submitting proposals affecting heritage assets, applicants should describe the significance of the asset, including any contribution made by its setting. The work undertaken

- should be proportionate to its importance and no more than is sufficient to understand the impact of the proposal on the asset's significance. As a minimum, relevant historic environment record should have been consulted.
6. A Heritage Statement was submitted with the application. I agree with the Authority that this does not meet the requirements set out in paragraph 189 and does not adequately assess the significance of the barn as a heritage asset. The Statement does not demonstrate that the local historic environment record has been consulted and neither follows, nor makes reference to, the Peak District Historic Farmstead Assessment Framework. In my view it also fails adequately to assess the setting of the barn in accordance with Historic England guidance on the assessment of setting.¹
 7. Given that the appellant considers the appeal building to be an excellent example of traditional agricultural architecture, the absence, within the Statement, of any reference to the Historic Farmstead Assessment Framework is a major weakness. As a result, the Heritage Statement does not include a full assessment of the significance of the largely open plan form of the building or of internal features which appear to be original. It does not provide any assessment, in the context of other remaining examples within the National Park or wider region, of whether the presence of that original form and those features renders the barn a unique or a particularly important surviving example of a field barn dating from the 19th Century or earlier. Without a clear understanding of the asset's significance in that context it is not possible to make a full assessment of what degree of harm, if any, would be caused to its significance by the subdivision of the ground and upper floors, the loss of internal features and the external alterations that are proposed.
 8. My own assessment is that the building derives its significance, in part at least, from its substantial height and scale, its simple form, and the appearance of solidity that flows from the limited number of openings in its external walls and roof. The proposal would increase the number of openings and introduce wholly new openings in the north-east and south-east elevations. I accept that these would be in proportion with existing openings on other elevations but consider that they would erode both the simple form and solid appearance of the building and would adversely affect its significance as an historic agricultural barn.
 9. As a field barn, the building can be distinguished from other barns within the village and locality that front directly onto the road or form part of a building group. From my observations on site, I consider that, as a minimum, its setting includes the full extent of the field in which it is sited and that the open area of paddock, between the building and the dry stone wall to the roadside boundary, makes a positive contribution to that setting. Due to the low height of that wall clear views of this area of land are available from Carr Lane, particularly from the south west. The curtilage to the rear would be defined by a post and rail fence but even this limited subdivision of the field would have some adverse effect on the setting of the building. Still greater harm would flow from the proposed alterations to the land to the front and side of the barn.
 10. The introduction of a formal vehicular access in place of the existing field gate, the parking of up to 4 cars, and the formation of gardens within this area would cause significant harm to the setting of the barn. I note that sympathetic

¹ The Setting of Heritage Assets - Historic Environment Good Practice Advice in Planning Note 3

materials would be used for hard surfacing but consider that the proposed car parking and gardens would result in a domestication in the appearance of the building. That harm would be compounded as those gardens would be the only useable outdoor amenity space for the future occupiers of the proposed dwellings. The positioning of garden furniture, clothes dryers and outdoor play equipment in this area of land is, therefore, very likely. It can reasonably be expected that the two occupiers of the proposed dwellings are likely to treat and use their front gardens in different ways. Such variance of treatment would further increase the harm to the setting.

11. The conversion of the barn for a single rather than two dwellings would not require as much parking or the formation of two front gardens. No alternative scheme is before me. However, based on my observation of other barn conversions in the locality, it is reasonable to expect that the building's conversion to a single dwelling may not require as many new openings in its external elevations. The appellant states that the barn lends itself to conversion to two dwellings. However, I have no evidence that an alternative, and less harmful, option could not achieve the appellant's stated objective of securing a sustainable future for the heritage asset.
12. Whilst there is insufficient information to make a full assessment in accordance with the Framework, there is enough evidence for me to conclude that the proposal would cause significant harm to the external character and appearance of the barn and to its setting. I therefore find that the proposal would cause harm to the significance of the non-designated asset and that it conflicts with Policy DCM 10 of the Local Plan for the Peak District National Park (Part 2) - Development Management Policies (DMP), which states that the conversion of a heritage asset will be permitted where this would not adversely affect its character. It also conflicts with Policy L3 of the Local Plan (Part 1)- Core Strategy (CS) which requires that proposals must conserve and where appropriate enhance the significance of historic assets.
13. Paragraph 197 of the Framework requires that the effect on the significance of a non-designated asset should be taken into account when determining an application affecting that asset and that a balanced judgment will be required, having regard to the scale of any harm or loss and the significance of the asset. The available evidence suggests that the barn is of some importance as a surviving example of a field barn dating from at least from the 19th century and that the proposal would cause significant harm to the building and its setting. I therefore conclude that the proposal conflicts with paragraph 197.

Character and appearance

14. Due to its height, scale and position, the barn is prominent in views from Carr Lane, particularly on the approach to the village from the south west. It is also prominent in views on the descent into the village on Ashbourne Lane and from the public footpath that runs south west from Carr Lane. In these views, it is seen as an individual building, standing in its own field and separate from the main built area of the village. As seen from these viewpoints, the building sits within and makes a positive contribution to the historic agricultural landscape and rural setting of Wetton. The building and its setting are also characteristic of the 'Limestone Village Farmlands' landscape character area within which the village is located.²

² Peak District National Park Landscape Strategy

15. In my assessment the proposed external alterations would be apparent in those views and would adversely impact on the viewer's appreciation of the simple form and solid appearance of the building. Although the barn is some distance from Ashbourne Lane and the footpath, the proposed rooflight and new flues projecting above the roof ridge would be seen, as would any cars parked at the side of the building. The alterations would result in a detrimental impact on the character of the predominantly agricultural landscape in those views and on the rural setting of Wetton. For these reasons, the proposal would conflict with Policy DMC 3 of the DMP which requires that development proposals should respect and where possible enhance the natural beauty and quality of the landscape.
16. The Wetton Conservation Area is centred on the core of the village where the topography, historic street pattern, traditional stone buildings, stone boundary walls and extensive tree cover all make a positive contribution to its special character and appearance. The Conservation Area includes the open land to the south-west of the village centre and the appeal building is within its boundary.
17. When viewed from Carr Lane to the south-west, the currently dilapidated barn on the north side of the road and adjacent toilet block come into view alongside the appeal building. However, these read as a very small group of buildings that are separate from the main built area of the village. As the viewer continues along Carr Lane he or she will be fully aware that the car park and the immediately adjacent dwelling are separated from the buildings at the junction of Carr Lane and Ashbourne Lane by a substantial area of open, agricultural land on the north side of the road. As described in the Conservation Area Appraisal the appeal building and open land around it are of importance in forming part of the agricultural foreground to the village and the rural setting of Wetton. The appeal building, accordingly, makes a positive contribution to the character and appearance of the Conservation Area by helping to link the village to its agricultural history and rural setting.
18. Given that context I consider that the alterations proposed to the barn and its setting would have a detrimental effect on the contribution that the barn makes to the Conservation Area. The proposal would fail to preserve or enhance the character and appearance of the Conservation Area, thereby conflicting with Policy DMC8 of the DMP and L3 of the CS which seek to protect the special character and appearance of the Conservation Areas within the National Park. I assess the harm to the Conservation Area as being less than substantial for the purposes of section 16 of the Framework. Paragraph 196 of the Framework states that, where a proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as a Conservation Area) that harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use.
19. Consideration must also be given to the National Park Authority's statutory duty to conserve and enhance the landscape and scenic beauty of the National Park and to the requirement, in paragraph 172 of the Framework, that great weight should be given to that objective.

Other Matters

20. I inspected the site and location of the barn on Ashbourne Road which has planning permission for conversion to residential use and consider that its detailed siting is clearly distinguishable from that of the appeal building. The

two buildings are not directly comparable and the granting of that permission does not create a precedent for approval of the appeal proposal.

21. I agree that there is a public interest in securing a viable use for the building to provide for its future conservation and maintenance. However, for the reasons set out above, I have insufficient information to conclude that its conversion for two dwellings represents its optimal viable use or that an alternative scheme requiring more limited alterations would not be viable. Due to the deficiencies in the heritage assessment, it is also impossible at this stage to fully assess what level of harm the appeal proposal would cause to the heritage asset. For this reason, only limited weight can be given to the public benefit of securing the building's restoration and long-term beneficial use.
22. A public benefit would also be secured by the provision of additional housing in the village including one market and one affordable dwelling. I note that the Council has some reservations about the UU that has been submitted but consider that any deficiencies in the document could be remedied such that it could secure the delivery of an affordable dwelling in accordance with CS Policy HC1 and Policies DMH2, DMH3 and DMH11 of the DMP. There is no up-to-date housing needs survey for Wetton but the application is supported by Wetton Parish Council which considers it would provide two homes capable of meeting local needs. This benefit should, accordingly, be given significant weight.
23. I find that these public benefits do not outweigh the harm that would be caused to the character and appearance of the Conservation Area, the surrounding landscape and the rural setting of Wetton and to the character and setting of the barn as a non-designated heritage asset. I reach that conclusion having regard to the continuing uncertainty as the degree of harm that would be caused to the significance of the non-designated heritage asset and the great weight that must be attached to the conservation and enhancement of the landscape and scenic beauty of the National Park. Accordingly, I find that the proposal conflicts with the development plan as a whole.

Conclusion

24. For the reasons set out above I conclude that the appeal should fail.

Paul Singleton

INSPECTOR