



Appeal Decision

Site Visit made on 8 June 2021

by William Cooper BA (Hons) MA CMLI

an Inspector appointed by the Secretary of State

Decision date: 21st July 2021

Appeal Ref: APP/M9496/W/21/3270501

Land near to Dale Farm, Weaddon Lane, Middleton by Youlgrave, Bakewell DE45 1LS

- The appeal is made under section 78 of the Town and Country Planning Act 1990 as amended against a refusal to grant planning permission.
 - The appeal is made by Mr Alex Stone against the decision of Peak District National Park Authority.
 - The application Ref: NP/DDD/0820/0713, dated 27 July 2020, was refused by notice dated 12 October 2020.
 - The development proposed is erection of an agricultural barn for the housing of livestock and storage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of an agricultural barn for the housing of livestock and storage, at Land near to Dale Farm, Weaddon Lane, Middleton by Youlgrave, Bakewell DE45 1LS in accordance with the terms of the application, Ref: NP/DDD/0820/0713, dated 27 July August 2020, and the plans submitted with it, 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 strict accordance with the following approved drawings: AS/JHC/2019/101A Location and Site Plan; AS/JHC/2019/102B Block Plan; AS/JHC/2019/103A Proposed Elevations; AS/JHC/2019/104B Proposed Elevations; AS/JHC/2019/105 Proposed Section A-A1.
 - 3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the building shall be used for agricultural purposes only and removed from the site if and when no longer needed for such purposes.

Main Issue

2. The main issue in this case is the effect of the proposed development on the character and appearance of the area, with particular regard to the valued characteristics of the Peak District National Park, including whether the proposal would preserve (a) the landscape character of the area, (b) the setting of the Middleton by Youlgrave Conservation Area (CA), and (c) the setting of the Grade II listed buildings Chapel House, Dale Farmhouse and Attached Outbuildings, the Cottage to the South East of Dale Farmhouse and Bateman's Tomb.

Reasons

3. The CA is characterised predominantly by traditional limestone, slate roofed village architecture. It spreads out from the cluster of cottages around The Square, with more diverse and dispersed architectural character along Rake Lane and Weaddow Lane.
4. The appeal site is part of the countryside setting of the village, which partly frames the host stretch of Weaddow Road. This countryside setting includes drystone wall field boundaries, gates and a range of historic and actively used farm buildings, which are visible from or a short distance from the appeal site.
5. The appeal site is accessed off a stretch of Weaddow Lane that runs northwards from The Square. This stretch of road includes the following. The Grade II listed Dale Farm and Chapel House sit to the north of the access to the appeal site, and the Cottage to the South East of Dale Farmhouse to the south. They are pitched roof limestone buildings dating from around the eighteenth century.
6. Bateman's Tomb comprises a rectangular stone tomb surmounted by a stone urn and surrounded by spear-headed iron railings. It is the nineteenth century burial place of Derbyshire Archaeologist Thomas Bateman. The tomb is located in a field to the north of the appeal site, next to a drystone wall and shaded by a tree.
7. The historic farming and religious architecture and function of this combination of buildings together illustrate the rural community history of the village.
8. Thus the context of the site, CA and listed buildings is a traditional Peak district village set in a countryside frame which is noticeably influenced and shaped by farming. Agriculture is a characteristic part of the local rural community's heritage and life.
9. From what I saw during my site visit and the evidence before me, the CA's significance, insofar as it relates to this appeal, lies in its illustration of the village's traditional rural community character and its architectural evolution in the eighteenth and nineteenth centuries, as manifested in its characterful mix of historic Peak District village structures and buildings.
10. The listed buildings have evidential and historical value as examples of rural village architecture dating from the eighteenth century, which illustrates the use of a range of different historic building materials and techniques. Also, the spiritual and commemorative dimensions of the listed tomb and chapel building, and the listed buildings' illustration of traditional rural community life have communal value. Given the above, I consider the special interest of the listed buildings, insofar as it relates to this appeal, to be primarily associated with the legibility of their eighteenth and nineteenth century architecture and their illustration of the rural community history of the village.
11. The appeal site is part of an open rural field that is edged by drystone walls and boundary trees. As part of the village's countryside setting, the site's rural character contributes positively to the local Peak District landscape. These are the valued characteristics of the local landscape

including the site, which also contribute positively to the setting of the listed buildings and CA.

12. The proposal is for an agricultural barn for housing livestock, and storage. Its eastern elevation, facing towards the listed buildings and CA, would mainly comprise timber board walling, and at lower level a limestone faced wall and steel sheeted gate. The pitched roof would be of blue-grey fibre cement sheeting with roof lights. Gates, fencing and a lower concrete wall on the western elevation would complete the building. Much of the front elevation would be open. This combination of materials would result in a relatively plain, functional agricultural appearance. Together with the softening effect of the limestone wall facing and the context of other farm buildings in the vicinity, this would help the building to assimilate visually within the rural landscape.
13. Furthermore, the barn would sit within a hollow that runs westwards up the hillside. Due to the floor of the building being dug into the sloping ground, the barn's eaves would sit approximately level with the top of boundary walling in the vicinity. Retention of trees and proposed boundary tree planting would visually soften various views of the building, and conserve and modestly enhance wildlife habitat. The above, together with drystone walls and vegetation in the wider local landscape would help limit the visibility of the building from various viewpoints in the surrounding countryside. The majority of the hollow would remain open and most of the rising land in the vicinity of the barn would remain perceptibly undeveloped. As such, the topographic identity of the area would endure.
14. Moreover, the proposal would meet a reasonable agricultural need for a building of the size proposed, as accepted by the National Park Authority (NPA)¹. Within the context of local concern about pressures on the farming identity of the area, the keeping of livestock at the barn would help protect and stimulate the traditional rural life and cultural identity of the village. Through supporting and stimulating the authentic rural farming character of the area, which would include traditional scenes of livestock grazing in fields, the proposal would modestly enhance the area's landscape character and scenic quality. This would contribute to public enjoyment of the special qualities of the National Park.
15. The proposed barn and surfaced yard would reduce the undeveloped character of the site. However, given the above combination of factors, the proposal would read 'on the ground' as a barn which would fit in with the village's rural landscape setting. The rural character of the village's countryside setting, and the overall sense of the landscape's openness would endure. Furthermore, the proposal would provide stimulus to local agricultural activity, which is a key element of the traditional character of the village and the area.
16. As identified in the Middleton by Youlgrave Conservation Area Appraisal, the focal point of northern Middleton is on the eastern side of Weaddon Lane. Given the proposal's assimilating factors and its set back from the opposite side of the road, the focal point of the northern part of the CA would not be diminished. Furthermore, the separation between the proposed barn and other buildings would help conserve the characteristic

¹ As set out on page 5 of the NPA's Appeal Statement.

sense of wide spacing between buildings in the northern part of the CA. As established earlier in this decision, the topographic identity of land which forms part of the setting of the CA and the listed buildings would also endure.

17. Moreover, the space between the proposed barn and the listed buildings and CA, together with the proposal's assimilating factors, mean that the historic architectural charisma and legibility of the nearby listed buildings and CA would endure.
18. Therefore, the proposal would have a neutral effect on, and thus preserve the setting and significance of the CA and the listed buildings. In this respect, the proposal would satisfy the requirements of the Planning (Listed Buildings and Conservation Areas) Act 1990 and the National Planning Policy Framework (the Framework). It would also accord with Policy L3 of the Peak District National Park Core Strategy (2011) (CS) and Policies DMC7 and DMC8 of the Peak District National Park Development Management Policies (2019) (DMP), which together require the conservation of heritage assets.
19. Also, the proposal would fit in and modestly enhance the area's landscape character. Furthermore, through stimulating local farming activity including keeping livestock in the landscape, which is a key element of the area's identity, the proposal would enhance the cultural heritage of the village and its countryside setting.
20. Through not increasing the site's openness, the proposal would not enhance this valued characteristic of the site. In this respect it would not fully satisfy Policy GSP3 of the CS. That said, the proposal would accord with the requirement of Policy GSP3 to conserve the site's valued characteristics. Furthermore, through respecting and enhancing the character of the area, the proposal would accord with Policy GSP2 of the CS.
21. Also, through conserving and modestly enhancing the area's landscape character and scenic quality, and so contributing to public enjoyment of the special qualities of the National Park, the proposal would satisfy Policy GSP1 of the CS in respect of the legal purposes of the National Park. It would also satisfy Policy L1 of the CS, and Policies DMC3 and DME1 of the DMP which together seek to ensure that development conserves and, where possible enhances local character.
22. In conclusion, the proposed development would not harm the character and appearance of the area. It would preserve and modestly enhance the landscape character, scenic beauty and cultural identity of the area. It would also preserve the setting of the CA and listed buildings. As such, it would largely respect, conserve and, in some respects, enhance the valued characteristics of the Peak District National Park.
23. There would be conflict with part of GSP3 of the CS. However, given the large extent of compliance with the majority of the relevant development plan policies, I find that the proposal would comply the development plan as a whole.

Other Matters

24. Local residents have expressed concern about the following matters, which are not within the reason for refusal. The proposed barn is likely to result in some intensification of use of the access to the appeal site, which is close to residential properties.
25. Given that the proposed barn would be used in support of existing farming activities on surrounding farmland, and the relatively small scale of the farming operation, such intensification is likely to be modest. The Highways Authority has raised no objection about the safety of the access. Furthermore, I am persuaded by the NPA's assessment² that, as Middleton by Youlgrave is historically a farming village with close proximity of, and a strong sense of coexistence between residential and agricultural activities, and land on which the building would be sited is already in agricultural use, the proposal would not result in unacceptable impact on residents' amenity in terms of noise, disturbance and odour.
26. While I do not underestimate the importance of the above matters to those involved, I therefore find that there are not planning grounds to refuse the scheme.

Conditions

27. The conditions suggested by the NPA have been considered against the tests of the Framework and advice provided by Planning Practice Guidance. They have been broadly found to be reasonable and necessary in the circumstances of this case. I have made minor drafting changes in the interests of precision. Conditions regarding timeliness and adherence to the submitted plans are attached in the interests of precision. A condition covering agricultural use is necessary to safeguard the valued characteristics of the National Park.

Conclusion

28. The proposed development would adhere to the development plan as a whole and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

William Cooper

INSPECTOR

² As per paragraph 48 of the Planning Officer's Report to Planning Committee, 9 October 2020.