



Appeal Decision

Site Visit made on 3 August 2021

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 9 September 2021

Appeal Ref: APP/P1045/D/21/3273772

Cloud Barn, Clifton Road, Clifton DE6 2DH

- 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 Brent Tuffs against the decision of Derbyshire Dales District Council.
 - The application Ref 21/00096/FUL, dated 24 January 2021, was refused by notice dated 18 March 2021.
 - The development proposed is erection of a garage.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Since the appeal has been lodged the revised National Planning Policy Framework (the Framework) has been issued on 20 July 2021. However, there have been no material changes to the relevant parts of the Framework's policies in terms of requirements for developments to be of a good design which recognise the intrinsic character and beauty of the countryside. Therefore, it has not been necessary to go back to the parties for further comments in this particular instance.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. Cloud Barn is a red brick and tiled former barn which has been converted to a dwelling. The appeal site and the dwelling occupy an elevated position relative to the adjacent A515 Clifton Road. Mature vegetation exists to the roadside boundary. The settlements of Ashbourne and Clifton are located in relatively close proximity to the site. However, the land surrounding the appeal site predominantly consists of an undulating rural landscape including agricultural fields with sporadic farmsteads and cottages. Due its simple form and modest scale, Cloud Barn retains a relatively understated presence within the landscape which positively reflects the sparse built environment which characterises the countryside setting.
5. With regards to new detached garage buildings associated with converted farm buildings, The Derbyshire Dales District Council 'The Conversion of Farm Buildings' Supplementary Planning Document (2019) (SPD) includes amongst other things that such buildings will generally be resisted unless its design,

scale, mass, form, detailing and location/orientation does not impede or detrimentally affect the character and setting of the existing farm building.

6. I acknowledge that the detached garage would incorporate materials and design features including pitched roofs and vertical boarded doors which seek to reflect the local rural vernacular. However, the substantial footprint and scale of the outbuilding would be larger than the host dwelling. Even accounting for the boundary vegetation and the separation distance between the proposal and the host dwelling, the bulk and scale of the building and its elevated position close to the boundary with the A515 means it would be prominent within the landscape and would evidently compete with the modest proportions of Cloud Barn for passers-by on this adjacent road. In those regards the building would detrimentally affect the character and setting of Cloud Barn and would not protect or enhance the intrinsic character and beauty of the prevailing rural landscape.
7. I conclude that the development would result in significant harm to the character and appearance of the area. In that regard the development would conflict with Policies S4 (Development in the Countryside), HC10 (Extensions to Dwellings) and PD1 (Design and Place Making) of the Adopted Derbyshire Dales Local Plan (2017) which amongst other things require that new development is of a high quality design, that the design of outbuildings are in keeping with the scale and character of the original dwelling and the sites wider setting and location and that development protects and where possible enhances the landscape's intrinsic character and distinctiveness. The proposal would also be contrary to the requirements in Framework for development to recognise the intrinsic character and beauty of the countryside as well as the Council's 'The Conversion of Farm Buildings' SPD.

Other Matters

8. The appellant suggests that the building would provide covered storage which would enable vehicles and equipment to be housed out of public view. However, I am not persuaded by the evidence before me that a building of the scale proposed would be justified nor that it would result in visual benefits for the countryside when compared with the existing situation.
9. The appellant contends that the building would be marginally above the height of outbuildings which might in other situations be erected under permitted development rights. However, I must consider the proposal on the basis of its site-specific context within a countryside location on a site where permitted development rights have been removed. Therefore, I am not persuaded that a comparison with permitted development rights which might be utilised elsewhere justifies the site-specific harm identified under the main issue in this particular instance.

Conclusion

10. The proposal would harm the character and appearance of the area and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

M Russell INSPECTOR