
Appeal Decisions

Site visit made on 17 January 2022

by S Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 1 February 2022

Appeal A: APP/P1045/W/21/3276581

Agnes Meadow Farm, Agnes Meadow Lane, Kniveton, Derbyshire DE6 1JR

- 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 Jeremy Furness against the decision of Derbyshire Dales District Council.
 - The application Ref 20/01289/FUL, dated 16 December 2020, was refused by notice dated 10 February 2021.
 - The development proposed is erection of greenhouse.
-

Appeal B: APP/P1045/Y/21/3276582

Agnes Meadow Farm, Agnes Meadow Lane, Kniveton, Derbyshire DE6 1JR

- 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 Mr Jeremy Furness against the decision of Derbyshire Dales District Council.
 - The application Ref 20/01073/LBALT, dated 16 December 2020, was refused by notice dated 12 February 2021.
 - The works proposed are erection of greenhouse.
-

Decisions

1. Appeal A: The appeal is allowed and planning permission is granted for the erection of a greenhouse at Agnes Meadow Farm, Agnes Meadow Lane, Kniveton, Derbyshire DE6 1JR in accordance with the terms of application Ref 20/01289/FUL, dated 16 December 2020, subject to the following conditions:
 - The development hereby permitted shall be commenced within three years of the date of this permission.
 - The proposed development shall be constructed in accordance with the documents accompanying the application and the following drawings: Site Location Plan – JC/F160/1A; Block Plan- JC/F160/2A; Proposed Plans and Elevations; Greenhouse Specifications.
2. Appeal B: The appeal is allowed and listed building consent is granted for the erection of a greenhouse at Agnes Meadow Farm, Agnes Meadow Lane, Kniveton, Derbyshire DE6 1JR in accordance with the terms of application Ref 20/01073/LBALT, dated 16 December 2020, and the plans and details submitted with it, subject to the following condition:
 - The works hereby permitted shall be commenced within three years of the date of this consent.

Main Issue

3. The main issue is the whether the proposal would preserve the special architectural and historic interest of this Grade II listed building and its setting.

Reasons

4. The farmhouse, constructed in coursed rubble limestone with gritstone dressings and a plain tiled roof, is an impressive part two, part three storey building constructed in the 17th century with later additions. The farmhouse is set back from the Agnes Meadow Lane in an area of open countryside where built development is sporadic. Vehicular access to the property is from the front via a long access drive leading to a gravelled parking area.
5. The special interest, or significance, of Agnes Meadow Farm as a listed building lies in its age, particularly its evidential value of the social history of the area, and in its architectural detailing which is set out in some detail in the list description.
6. The setting of a listed building is described in the National Planning Policy Framework (the Framework) as the surroundings in which a heritage asset is experienced. The immediate grounds of the house are clearly within the setting. To the rear of the property and to the east and south-east sides are modest areas of open domestic garden. The openness of these areas allow the building to be appreciated and thereby make a moderate positive contribution to its significance. To the south-west, clearly separated from the garden by a boundary wall and path, is a variety of outbuildings including a traditional stone building, timber stables and a modern concrete garage. These building somewhat clutter the space but nevertheless have a neutral impact on the setting and thereby significance of the building.
7. The proposed glazed greenhouse would be constructed with a western red cedar frame on a rustic red brick dwarf wall and would be sited adjacent to the gable end of the garage. It would introduce a further outbuilding into the front of the property and add to the amount of built form in this location. Moreover, the structure would be highly prominent on approach to the property.
8. Nevertheless, the purpose of the building, which would serve a functional need, would be compatible with that of the other structures in this part of the site, an area historically used for ancillary functional purposes. Visually, the limited size and low form of the building would be comparable to the adjacent row of buildings and its lightweight glazed appearance would mean that it would not be a dominant structure. The timber frame is a limited element of the proposal, likely to weather over time, and the use of a rustic brick to the lower part of the structure would reflect that of the brick of the garden wall, and thereby visually connect the building with the wider site. On that basis the structure would not appear incongruous in this location. Moreover, it seems to me that the building would assist in obscuring the end of the garage, a negative element in the setting of the listed building, and as such would enhance the appearance of this part of the setting.
9. Accordingly, whilst the proposal would undoubtedly change the setting of the listed building, it would not cause any harm to its significance as a heritage asset. In addition, the structure would not impact on any historic fabric and the important architectural details of the listed building would be preserved.

10. I have noted the Council's contention that the greenhouse would be better located elsewhere within the site. Having seen the site I am unconvinced that the introduction of a detached outbuilding into the otherwise open area of garden would preserve the setting of the listed building but notwithstanding that, I can only determine the proposal before me on its own merits.
11. On that basis the proposal would satisfy the statutory duty set out in s.16 (2) and s.66 (1) of the Planning (Listed Buildings and Conservation Areas Act) 1990 which seek to ensure that when considering whether to grant listed building consent or planning permission for a proposal which affects a listed building or its setting, special regard should be had to the desirability of preserving the listed building and any special architectural or historic features of interest it possesses.
12. For the same reasons the proposal would accord with Policy PD2 of the adopted Derbyshire Dales Local Plan 2017 which seeks to conserve heritage assets in a manner appropriate to their significance taking into account the desirability of sustaining and enhancing their significance.
13. Given that I have found no harm to the listed building or its significance, there is no need for me to consider whether any public benefits exist or how they weigh against any harm in accordance with the tests of Framework.

Conditions

14. The Council has suggested conditions in the event of the appeals being allowed which I have considered in the light of the requirements of the Planning Practice Guidance (PPG).
15. In order to provide certainty and in the interests of proper planning a time limit condition is required on both decisions and a plans condition is required on the planning permission.
16. However, no reason has been given as to why the level of detail shown on the submitted plans is inadequate and I am unconvinced that full constructional details and further details of the proposed materials are necessary given the type of building proposed and its siting adjacent to a modern building set at a distance from the house. The level of detail set out in the application is proportionate to the type of development before me and I am satisfied that it will ensure that the contribution the setting makes to the significance of the listed building will be preserved. Such a condition would not therefore meet the tests set out in the PPG.

Conclusion

17. For these reasons and taking all other matters raised into account, the appeals are allowed subject to the conditions set out above.

S Ashworth

INSPECTOR