



Appeal Decision

Site visit made on 16 June 2022

by Darren Hendley BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 July 2022

Appeal Ref: APP/A3010/W/22/3290610

North House Farm, The Green, Carlton In Lindrick, Worksop, Notts S81 9AQ

- 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 Jayne Beilby against the decision of Bassetlaw District Council.
 - The application Ref: 20/01207/COU, dated 16 September 2020, was refused by notice dated 16 September 2021.
 - The development proposed is the conversion/change of use existing "West Cart Shed" to form 4 holiday lets and parking.
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Decision

1. The appeal is allowed and planning permission is granted for the conversion/change of use of the existing West Cart Shed to form 4 holiday lets and parking at North House Farm, The Green, Carlton In Lindrick, Worksop, Notts S81 9AQ in accordance with the terms of the application, Ref: 20/01207/COU, dated 16 September 2020, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on highway safety by way of the proposed access arrangements; and if harm arises, whether this is outweighed by bringing a designated heritage asset back into use.

Reasons

Highway Safety

3. The appeal property comprises a single storey outbuilding. It is one of a number that were associated with North House Farm. The farmhouse and the buildings have been the subject of a number of permissions and building works that are related to their re-use.
4. A single width loose stone track lies adjacent to the appeal property. It would be upgraded and utilised to access the car parking spaces that form part of the proposal. This track also accesses a number of the other buildings. It joins onto The Green just forward of the appeal property and is abutted on one side by a stone wall that extends up to a footway. The access also lies a short distance from the junction of the Green with Greenway, which then joins onto the nearby A60.

5. While there are not records of accidents in the immediate vicinity of the site, the current access provides limited visibility onto The Green. The stone wall restricts visibility to the left. To the right, the proximity of the junction with Greenway and its alignment also restricts visibility in this direction. The split island arrangement of this junction does not assist in this regard. Greenway is a fairly well trafficked route, in particular with its proximity to the A60.
6. The proposal would increase the potential for vehicular conflict at the access, even with the likely low speeds of vehicles egressing the site. The associated vehicular movements would be over and above that which has already been considered under previous proposals, albeit they would be moderate. It would also be additional to agricultural vehicles which may still use this access en-route to nearby agricultural land. With the gradual redevelopment of the North House Farm site, any agricultural vehicle usage associated with the former use of these buildings now has a limited bearing.
7. Improvements are proposed that would increase the visibility towards the Greenway junction, and at the junction itself. The verge area would be extended and the footway realigned. The junction would also be rearranged and become a more conventional T-junction with widened splays. Whilst this arrangement would still not be ideal with the proximity of the site access to this junction, it would reduce to a degree the likelihood of collisions with traffic emerging at the access. There is not though scope to make improvements to the visibility to the left on The Green due to the stone wall.
8. In taking these factors together, there would still be a detrimental effect on highway safety caused by the proposed access arrangements that can be deemed to be sub-standard. This is due to the limitations of what improvements can be provided and with the confined arrangement of the access, the Green and Greenway.
9. I conclude that the proposal would have an unacceptable effect on highway safety by way of the proposed access arrangements. As such, it would not comply with Policy DM4 of the Council's Local Development Framework Core Strategy & Development Management Policies DPD (2011) where it concerns safe movement and that development is not to the detriment of highway safety.
10. The proposal would also not accord with paragraphs 110 to 112 of the National Planning Policy Framework (Framework) where they are concerned with that safe and suitable access to the site can be achieved for all users; that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe; and, creating places that are safe, secure and attractive and which minimise the scope for conflicts between pedestrians, cyclists and vehicles, amongst other considerations.

Designated Heritage Asset

11. The appeal property is set out in a linear arrangement and was constructed in a number of phases. It is of a stone and brick construction, with a pantile roof. It is now unused and there are marked signs of disrepair, in particular to the roof and the external openings, as well as a partial collapse of one element. Nevertheless, it retains its overall pleasing appearance and historical

significance as a traditional agricultural building that formed part of this grouping of buildings that made up this former farmstead.

12. North House Farmhouse is a grade II listed building. The listing includes structures within the curtilage of the building. The appeal property is such a structure as it was formerly a cart shed associated with the farmhouse. The Council has granted listed building consent¹ for related works to the proposal.
13. The proposal would seek to rectify the current deficiencies in the building and much improve its overall appearance in relation to its significance. The re-use of the existing openings and previously infilled cart shed openings, together with the proposed combination of glazing and timber panelling would help to retain its agricultural character, as would the retention of an internal brick trough. Further improvements include the use of timber lintels and the number of rooflights has been reduced from that originally proposed.
14. The proposal would also have the benefit of putting the building to a viable use consistent with its conservation. It would enhance the significance of the heritage asset. In terms of the potential for alternative uses, there is not substantive evidence that such uses would be viable in order to conserve the asset. The proposal would achieve this by utilising the building for a holiday accommodation use and so the asset can be sustained in the future. This attracts support under the Framework because it would make a positive contribution to the conservation of a heritage asset.

Other Matters

15. As I have found that the proposal would be of clear benefit as regards the listed building status, it would also accord with the statutory duty that is set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
16. The site lies within the Carlton In Lindrick Conservation Area. The proposal would contribute favourably to its significance, also because it would bring a traditional building back into use and by way of the sympathetic restoration. It would thus preserve or enhance the character or appearance of the conservation area and accord with the statutory duty that is set out in Section 72(1) of the Act.

Balancing Exercise

17. I have found that the proposal would have an unacceptable effect on highway safety and it would not comply with Policy DM4, as well as the Framework in this regard. The likely harmful effect on highway safety attracts moderate weight in my decision because it is tempered by the improvements and the likely traffic generation. Set against this harm is that the proposal would bring a designated heritage asset back into use and in a manner which is consistent with its conservation. This attracts significant weight in favour of the proposal. There is not compelling evidence before me of a viable alternative.
18. Accordingly, the harm that would arise as regards highway safety would be outweighed by bringing a designated heritage asset back into use. As a

¹ Council ref: 20/01209/LBA

material consideration, this justifies making a decision that is not in accordance with the development plan. I do not have cause therefore to consider other benefits that have been put forward.

Conditions

19. In addition to the timescale for implementation, I have imposed a condition concerning the approved proposed plans for the purpose of certainty. I have also imposed a condition limiting occupation to holiday accommodation, as it would not provide suitable living conditions for uncontrolled residential occupation.
20. I have also imposed conditions related to materials and rainwater goods in order to preserve or enhance the character or appearance of the conservation area. The access improvements are also the subject of a condition, in the interests of highway safety, and the same reason applies as regards parking, driveway construction and controls over any access gates. I have not imposed a condition that relates to construction hours as it would be a moderate sized development and so the related effect on the living conditions of the occupiers of nearby dwellings would be likely limited. Such a condition would thus not be reasonable and necessary.
21. I have also not imposed a number of conditions that have been suggested by the Council which are concerned with detailed listed building works. As they relate to the special architectural and historic interest of the listed building, they are more appropriately controlled through the conditions on the listed building consent.
22. I have also not imposed a condition related to the removal of permitted development rights. If the building was to be altered or extended in a way that would affect its character or appearance as a building of special architectural or historic interest, then listed building consent would in any event first have to be sought from the Council. Permitted development rights are also restricted because of the conservation area location.
23. Where I have altered the wording of the remaining conditions put forward by the Council, I have done so in the interests of precision and without changing their overall meaning.

Conclusion

24. For the reasons set out above and having regard to all matters that have been raised, the appeal should be allowed subject to the conditions.

Darren Hendley

INSPECTOR

Schedule of 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 accordance with the following approved plans: Site Location Plan Scale 1:1250, 100 rev E Proposed Site Plan, 112 rev C Store – Holiday Lets Proposed Plan & Section, 113 rev B Store – Holiday Lets Proposed Elevations, 103 Proposed Site Plan Drainage.
- 3) The development hereby permitted shall not be occupied other than as holiday accommodation and shall not be used as the sole and principal residence by any occupier.
- 4) Any replacement roof tiles required for the purposes of repair shall be a non-interlocking natural red clay pantile, of a size, texture and colour to match as closely as possible those found on the existing roof.
- 5) Any new bricks required for the purposes of repairs shall match as closely as possible the size, colour, form and texture of the existing bricks.
- 6) All rainwater goods shall be cast metal and painted black. Guttering shall be half round in profile and fixed by rise and fall brackets with no fascia board fitted.
- 7) Prior to the occupation of the development hereby permitted, The Green (including the provision of a replacement footway and the replacement of street lighting) shall be realigned in accordance with plan reference no. LNBU 220589-30.
- 8) The car parking spaces allocated for use with the holiday lets hereby permitted shown on plan no 100 rev E Proposed Site Plan shall be surfaced and available before the holiday lets are occupied and shall be retained for the lifetime of the development.
- 9) Before the holiday lets hereby permitted are occupied, the driveway shall be surfaced in a bound material for a minimum distance of 5.0 metres from the highway boundary and shall be drained to prevent surface water discharging onto The Green.
- 10) Access gates, if any, shall be positioned at least 5.5 metres from the highway boundary and shall be so constructed that they only open into the application site.