



Appeal Decision

Site visit made on 1 March 2023

by F Rafiq BSc (Hons) MCD MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2023

Appeal Ref: APP/R1038/W/22/3309134

179a Stubley Lane, Dronfield Woodhouse, Dronfield S18 8YN

- 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 Paul Stanton (Estructura Ltd) against the decision of North East Derbyshire District Council.
 - The application Ref 22/00019/FL, dated 4 January 2022, was refused by notice dated 25 July 2022.
 - The development proposed is the erection of 1 New 4 bedroom dwelling with garage as previously granted scheme - 21/00701/FL. Demolition of the existing barn and outbuildings and erection of 1 New 4 bedroom dwelling - the proposed replacement.
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Decision

1. The appeal is dismissed.

Main Issue

2. The effect of the proposed development on heritage assets, with particular regard to the non-designated heritage asset and setting of a listed building.

Reasons

3. The appeal site comprises of an area of land that includes an existing barn off Stubley Lane. It is situated amongst a group of buildings, which includes 179a Stubley Lane and Stubley Hall Cottage, the latter of which is a Grade II listed building¹.
4. The existing barn has a simple, rectangular form that reflects its agricultural origins. It is not included on a local list, and nor is it in a Conservation Area, but given its traditional architectural form, as well as its historical association with former agricultural land uses and a group of former farm buildings, I consider it to be a non-designated heritage asset. The listed building, also a former farm outbuilding, is a cruck framed structure which dates from the late sixteenth century with later alterations. The significance of these heritage assets derives from their architectural and historic interest in forming part of a group of former farm buildings that reflect the historical agricultural context of the area.
5. The urbanisation of the area around the appeal site has resulted in a significant change and the loss of the agricultural context within which the appeal building would have been seen and appreciated. Despite this, and the appellant's view that this results in it possessing a low heritage significance, the traditional form

¹ The Statutory List references as Former cruck barn at Gosforth Farm

of the appeal building still makes a positive contribution, as part of a group of buildings on this former farmstead, to the historic agricultural use in the area, albeit this contribution is reduced due to the surrounding development. The barn has been subject to alterations and I note the poor condition of the building, but its use of locally derived construction materials and a framing technique reflect a traditional architectural vernacular that is distinct to the area. I therefore conclude that the building has significant significance as a non-designated heritage asset and the demolition would harm the historic environment.

6. My attention has been drawn to comments relating to the listed building by the Council in the assessment of a previous application. As well as the architectural and historic interest from the traditional form of construction, I consider the setting, where the listed building is appreciated within the context of other buildings, contributes significantly to the significance of the listed building. The former farmstead, including the barn, provide an indication of the area's rural, agricultural history, despite the erosion of the agricultural land use that would have surrounded this group of buildings. This appreciation of the past, would be reduced by the demolition of the barn, which would adversely affect the setting and significance of the listed building.
7. The harm that would be caused to the listed building's setting and its significance would be less than substantial. In such circumstances paragraph 202 of the National Planning Policy Framework advises that the harm that would be caused should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimum viable use. Paragraph 203 of the Framework says the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing an application that directly or indirectly affects non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
8. The building that would replace the barn would be of the same scale and massing as a conversion which has been referenced by the appellant but is said to provide a more energy and space efficient building. Although a new build would eradicate the need for significant underpinning and other remedial works of the existing barn, a new building would however require new foundations and a new structure, even if existing materials were to be reused. A conversion scheme would be required to meet Building Regulations, including on energy efficiency and it is not clear why a retrofit would necessarily be less effective than such energy efficiency measures in a new build scheme.
9. The proposed replacement of the barn building would however provide a more space efficient and practical layout that would be of benefit to future occupants as well as neighbouring occupiers. These considerations are of some weight in favour of the development. The delivery of two residential dwellings would also be beneficial to the supply of housing in the area, but this benefit would be limited given the small scale of the scheme.
10. Consequently, the public benefits that would arise from the proposal would not outweigh the harm that would be caused to the heritage asset, which should be afforded great weight. Accordingly, the proposal conflicts with the Framework in terms of its aim to sustain and enhance the significance of heritage assets.

In assessing the effect on the significance of a non-designated heritage asset, as set out at Paragraph 203 of the Framework, the benefits of the proposal would not outweigh the harm.

11. As such, the proposed development would conflict with Policies SS1, SDC6 and SDC9 of the North East Derbyshire Local Plan 2014-2034 and Policy D1 of the Dronfield Neighbourhood Plan 2016-2034, which seek, amongst other matters, to protect and enhance the character, quality and settings of town and villages and heritage assets. It would also conflict with advice in Section 16 of the Framework.

Other Matters

12. The proposal would be acceptable in highway safety and ecology terms and no issues were raised by a variety of consultees. The development is in an accessible location within Dronfield and the principle of residential use is considered acceptable. These are neutral considerations and not matters which weigh in favour of the proposal.
13. Although the replacement building would replicate the footprint and general massing of the barn, and have a similar appearance, it would nevertheless result in the loss of a non-designated heritage asset which would be harmful for the reasons set out.
14. The appellant has identified that the existing barn could be demolished without planning permission. The Council has stated that the appellant has not pursued this through the prior approval process and has instead submitted applications seeking the conversion of the existing barn. This course of action relating to the demolition of the barn would not provide any certainty on the redevelopment of the site, and I therefore afford this matter limited weight.
15. I have taken into consideration all other matters, including those relating to the cost of conversion and the differing views on the structural condition of the barn. However, none of these matters alter my finding on the main issue.

Conclusion

16. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal is dismissed.

F Rafiq

INSPECTOR