



Appeal Decisions

Site visit made on 16 May 2023

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st June 2023

Appeal A Ref: APP/M9496/Y/22/3303535

1 Meal Hill Farm, Meal Hill Road, Holme , Holmfirth, HD9 2QQ

- 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 and Mrs Tony Fell against the decision of Peak District National Park Authority.
 - The application Ref NP/K/0921/0943, dated 1 September 2021, was refused by notice dated 11 March 2022.
 - The development proposed is removal of condition on holiday let to form dwelling and partial conversion of barn to integrate into dwelling.
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Appeal B Ref: APP/M9496/W/22/3302822

Dwelling adj 1 Meal Hill Farm, Meal Hill Road, Holmfirth, HD9 2QQ

- 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 Tony Fell against the decision of Peak District National Park Authority.
 - The application Ref NP/K/0921/0945, dated 1 September 2021, was refused by notice dated 11 July 2022.
 - The works proposed are removal of condition on holiday let to form dwelling and partial conversion of barn to integrate into dwelling.
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Decision

1. The appeals are dismissed.

Preliminary Matters

2. Permission was granted in 2005¹ to convert a barn to form one holiday let. Works on site have since taken place. The Authority consider that this permission was partially implemented, in that works to commence the conversion have been carried out, and therefore this permission is extant. I noted on site that a number of aspects of the works have not been carried out in accordance with the approved plans. Nevertheless, insofar as some of the works are as permitted and the scheme completed in accordance with the approval, I consider that the listed building consent provides a valid fallback for the appellant. Similarly, although the building has not been completed, and so the use as a holiday let has not been implemented, this use nonetheless remains a valid fallback for the appellant.
3. The scheme is described as a proposal to remove a condition on a holiday let to form a dwelling. However, the application has been made under S78 of the Act for full permission with an associated application made under S20 of the Act for

¹ NP/K/0405/0454.

listed building consent. The scheme differs from that previously approved in that it includes the conversion of an additional space within the barn originally proposed as a double height garage. It also includes a different internal arrangement of the remaining space, which requires the alteration of the building's fabric. In this regard the scheme before me differs significantly from that of the previous permission and the use as an open-market dwelling is associated with the layout within the submitted scheme.

4. Furthermore, as the approved use has not been implemented, I do not consider that the starting point for considering the proposal is that of a building used as a holiday let. Instead, it is of a barn, albeit one which has been subject to works, only some of which are authorised. In this way the proposal before me represents an alternative scheme for the appellant, which if granted the appellant could choose to implement instead of the existing consent.
5. The submitted floorplans² show both the cart doors to the garage being retained and an additional floor of accommodation being introduced above the garage. This would extend to the full width of the upper floor and would be set at a level which appears to replicate that already installed across part of the building. If the floor was installed as indicated, it would sit around three quarters of the way up the cart door entrance and the doors would not be able to open inwards as shown on the plans. I note that the Council are of the view that the cart doors should open outwards. I agree that this would be more in keeping with the origins of the building. However, in the absence of details of how the upper floor would be accommodated within the cart door entrance I cannot be assured that the upper floor could be appropriately incorporated within the building.
6. I note that the existing unauthorised flooring in the building includes a mezzanine with a double height void which allows clearance for the doors. As such it is open to the workshop below. The Planning and Heritage Statements make reference to the cart door being glazed to allow views from the existing garage/workshop. No reference on the plans is made to converting the ground floor of the garage/workshop to living accommodation. The submitted elevations³ are also ambiguous in that it is unclear as to whether the cart doors are solid or glazed.
7. Notwithstanding the inconsistency between the submitted floorplans and supporting documents, as the garage couldn't be accessed by a vehicle without opening doors, I must rely on the assumption that the application seeks to retain them. Nevertheless, I note that as a result, the first-floor accommodation could not be implemented as proposed.
8. The Council have drawn my attention to works that have taken place to the building which do not have the benefit of consent. I have dealt with this proposal solely on the basis of the plans submitted for approval and so, where changes are not submitted for approval, I have not included them within the appeal before me.

² 21/592/04a

³ 21/592/05a

9. The application is supported by a two Heritage Impact Assessments⁴. Neither provide details of the internal features of the building, including the section of the building which does not benefit from permission for conversion.

Main Issues

10. The main issue for the appeal is whether the proposal would preserve the special interest of the Grade II listed building known as Meal Hill Farm.

Reasons

11. S16(2) and S66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require special regard to be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses.
12. Policy L3 of the Core Strategy (CS) supports development which conserves or reveals the significance of historic assets and their settings and states that other than in exceptional circumstances development will not be permitted where it is likely to cause harm to the significance of any cultural heritage asset. Policy GSP2 states that development intended to enhance the National Park should demonstrate that it has overall benefits to the beauty, wildlife or cultural heritage of the area and should not undermine the achievement of other core policies in the plan.
13. Policy HC1 of the CS sets out when new open market housing would be acceptable and allows for the conversion of a listed building where it is required to achieve its conservation or enhancement.
14. Policy DMC5 of the Development Management Policies 2019 (DMP) requires applications to be supported by heritage assessments and for development to be of a high standard of design that conserves the significance of the affected heritage assets and their setting. Policy DMC7 relates to development affecting listed buildings and states that in addition to complying with DMC5 states that such development should clearly demonstrate how the building will be preserved and where possible enhanced, and why the proposed works are desirable or necessary.
15. Policy DMC10 allows for the conversion of a heritage asset. Where this relates to an open market dwelling this will only be supported when it can be demonstrated that conversion to a market dwelling is required in order to achieve the conservation and, where appropriate, the enhancement of the significance of the heritage asset and the contribution of its setting.
16. The CS predates the National Planning Policy Framework. Nevertheless, together the heritage policies within it reflect the aim in the Framework to sustain and enhance the significance of heritage assets and to put them to viable uses consistent with their conservation. They also reflect the need for harm to such assets to be weighed against the public benefits of the proposal including, where appropriate, securing optimum viable use. The policies also reflect the statutory duties defined in the Act.
17. The building is a Grade II listed building. It comprises two houses and a barn in one range and is constructed in dressed stone with a stone slate roof. The

⁴ August 2021 and January 2022

barn section includes an arched cart door entrance. The building sits in prominent position on the hillside and is visible in far reaching views into the site. The significance of the asset lies in, amongst other things, the age of the structure and in its status as an attractive and relatively well-preserved example of a Pennine farm building.

18. The proposal before me comprises a number of elements which were granted consent in 2005 in relation to the conversion to a holiday let. These comprise:

- Single storey extension to the lean-to to provide a bathroom;
- Provision of a staircase within the lounge to first floor level;
- New window openings to the front and side elevations at first floor level;
- Re-opening of rear door to the garage;

These works now form part of a wider scheme for the independent use of the building. I have dealt below with the “new” elements of the Scheme.

Provision of a large single opening in the original rear gable wall between the kitchen and lounge

19. The plans show the loss of a large section of the original gable wall to provide an almost open plan kitchen/lounge. In addition to harm arising from the loss of a substantial part of the original fabric this element of the scheme would also lead to a disruption of the original cellular form of the building. I note that the 2005 plans show the insertion of 2 openings in the gable, one to the kitchen and one to the new bathroom however these works involve the loss of less original fabric and preserve the buildings plan form and so would be considerably less harmful to the significance of the asset.

Provision of a window in the rear elevation to the proposed kitchen lean-to

20. This window is relatively modest and its appearance and proportions would reflect that of the other opening on the building. Although it would lead to the loss of fabric, the lean-to is a later addition to the main building and so it would lead to only minimal harm to the asset.

Formation of a dressing room within the roof-void to the lean-to with velux roof window

21. This alteration includes the provision of a small velux within the roof-slope and the removal of a section of the original rear gable to facilitate access to the dressing room at first floor level. The velux is relatively modest and unobtrusive and would have a neutral effect on the asset. The internal doorway involves a harmful loss of original fabric. The formation of a formal room within this space would also disrupt the original plan form of the building.

Formation of a first-floor level within the garage/store

22. The plans show the formation of an upper storey of accommodation within the double-height barn. The submitted HIAs provide no details of any original features within this section of the building, and as the works have been partly carried out, I cannot comment on whether the works involved the loss of any original features. The provision of the upper floor involved the provision of an opening in the internal wall at first floor level. Although this internal wall was

shown on the 2005 plans as original I noted on site that this appeared to have been rebuilt. It is therefore not clear to me how much original fabric has been lost.

23. Nevertheless, with regard to the principal of creating an upper floor within the garage/workshop which would include the provision of internal partition walls to form rooms at first floor level. This space would originally have been a double height space, most likely a hayloft. The height of the space would have therefore formed part of the intrinsic character of the building and conversion would, as a result, lead to some loss of this character which would harm the significance of the asset.
24. Taken together I have found that the additional works to the building as set out above would not preserve the listed building and that the harm identified would amount to less than substantial harm to the asset. The *National Planning Policy Framework* (the Framework) states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
25. The building has a part-implemented permission for use as a holiday let, which was granted based on the works outlined in paragraph 18 above. The plan policies put to me allow for conversion of listed buildings to a dwelling if that use is considered necessary to ensure the ongoing conservation of the structure. This is within the context of a policy which seeks to restrict new houses within the National Park, in the interests of its ongoing conservation and enhancement of the Park.
26. I noted on site that the building appeared to be in good structural condition. The roof and walls appeared structurally sound and the workshop/garage was being used for domestic storage. I've been provided with no evidence to suggest the building needed any form of repair, having been partly renovated in relation to the 2005 consent. With minimal routine maintenance it could potentially be used for storage for many years.
27. I note the appellant's view that deterioration will occur if the property is not put to good use and maintained and that the appellant no longer intends to use the building as a holiday let as they consider such a use would not be viable or attractive to the market. The previous conversion works are incomplete and so the building has never been marketed. I therefore give little weight to the contention that use as a holiday let would not be viable. In any case, as I have found that the proposal as put to me would not preserve the listed building, the use proposed cannot be considered necessary to achieve the conservation or enhancement of the building.
28. It therefore follows that the proposal would be contrary to Policies HC1, DMC5, DMC7 and DMC10 of the LP and L3 and GSP2 of the CS which together seek to conserve and where possible enhance the significance of heritage assets.
29. The proposal would provide some benefits in the form of provision of an additional dwelling which would contribute to housing supply in the local area. Additional residents would also bring with them a small benefit to the local economy commensurate with the scale of the scheme. The identified benefits of the scheme would not be sufficient to outweigh the harm to the heritage

asset, identified above. Accordingly, the proposal would also conflict with guidance in the Framework.

Conclusion

30. The proposal would harm the significance of the Listed Meal Hill Farm. The identified benefits of the scheme would not outweigh this harm. Accordingly, for the reasons outlined above, and having regard to all other matters raised, the appeal is dismissed.

Anne Jordan

INSPECTOR