



Appeal Decision

Site visit made on 27 September 2023

by N Bromley BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2023

Appeal Ref: APP/M1005/D/23/3325325

Alton Nether Farm, Bluebell Barn, Tinkerley Lane, Kirk Ireton, Ashbourne, Derbyshire DE6 3LF

- 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 Kevin Vaughan against the decision of Amber Valley Borough Council.
 - The application Ref AVA/2023/0104, dated 20 February 2023, was refused by notice dated 18 April 2023.
 - The development proposed is single storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a single storey side extension at Alton Nether Farm, Bluebell Barn, Ashbourne, Derbyshire, DE6 3LF, in accordance with the terms of the application, Ref AVA/2023/0104, dated 20 February 2023, subject to the following 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, numbered: 05; 07; 08 Rev B and 09
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. In September 2023, the Government published a revised National Planning Policy Framework (the Framework). Those parts of the Framework most relevant to this appeal have not been amended. As a result, there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

3. The effect of the proposal on the character and appearance of the host building.

Reasons

4. Bluebell Barn is a modest single storey residential barn conversion, attached to a neighbouring 2-storey building, set within a complex of residential buildings constructed of stone walls with clay tile roofs. The appeal site is accessed off

Tinkerley Lane, via a long, shared access drive, which results in the complex of buildings having minimal views from any main public vantage points from the wider area. The appeal property is also bounded by a sizeable hedgerow which screens views of it from outside of the site.

5. The proposed extension would be of a modest size and height. It would be built off the existing side elevation and whilst it is acknowledged that the proposed extension would alter the form of the existing building and create a 'T-shaped' footprint, which would change the linear shape of the building, it would be of a proportionate size when compared to the original building. It would also have a subordinate appearance, due to its limited width and depth, along with its reduced ridge height compared to the host property. The stone walls and pitched clay tile roof, to match the original building, along with the proposed fenestration, would further assist in ensuring that it has an acceptable and sympathetic design, which would preserve the character and appearance of the original building. The proposal would also ensure that the host building continues to assimilate into the surroundings and the cluster of converted barn buildings, due to its acceptable appearance and limited views from outside of the site.
6. The Council have set out that the proposed extension would not have been allowed under the original application to convert the buildings into residential use because of the prominent location of the extension, which would erode and impact significantly on the original appearance of the barn and loss of its rural character. However, the proposed extension does not represent a prominent extension due to its position, scale, and appearance. Furthermore, the boundary hedgerow obscures views of it.
7. For the reasons outlined above, the design of the proposed development is acceptable, and would not be harmful to the character and appearance of the host building. Therefore, the proposal would accord with Policies H5, H12 and LS3 of the Amber Valley Local Plan 2006 and the principles set out in the Residential Development Supplementary Planning Document 2007, which together and amongst other things, seek development that would respect the character of the locality and not result in a significant change to the scale or character of the dwelling.

Conditions

8. The Council has suggested three conditions that would be necessary in the event of my allowing the appeal. In addition to the standard time limit condition, I have also, in the interests of certainty, attached a condition specifying the approved plans. A condition to secure that external materials, relating to the proposal, match those of the existing building, would also be necessary in the interests of safeguarding the character and appearance of the area and the host building.

Conclusion

9. For the reasons given above, I conclude that the appeal should be allowed.

N Bromley

INSPECTOR