



Appeal Decisions

Site visit made on 20 July 2024

by Anne Jordan BA (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th July 2024

Appeal A Ref: APP/M9496/Y/24/3343980

Higher Ashen Clough Barn, Maynestone Road, Chinley, HIGH PEAK, SK23 6AH

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Robert Parker against the decision of Peak District National Park Authority.
 - The application Ref is NP/HPK/0723/0750.
 - The works proposed are installation of new flue to new wood burning stove.
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Appeal B Ref: APP/M9496/W/24/3342100

Higher Ashen Clough Barn Maynestone Road, Chinley, HIGH PEAK, SK23 6AH

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Robert Parker against the decision of Peak District National Park Authority.
 - The application Ref is NP/HPK/0723/0749.
 - The development proposed is installation of new flue to new wood burning stove.
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Decision

Appeal A

1. The appeal is allowed and listed building consent is granted for installation of new flue and wood burning stove at Higher Ashen Clough Barn Maynestone Road, High Peak, SK23 6AH in accordance with the terms of the application Ref NP/HPK/0723/0750 and the plans submitted with it and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 1022-01 Existing Floor & Roof Plan, 1022-02 Existing Elevations, 1022-03 Proposed Floor - Roof Plan, 1022-04A Proposed Elevations, 1022-05 Existing Site Plan, 1022-06 Proposed Site Plan, 1022-10 Proposed Ground Floor Plan, 1022-11 Proposed First Floor Plan Existing Floor & Roof Plan, 1022-12 Proposed Roof Plan, 1022-13 Proposed Part Elevation, 1022-14 Proposed Part Elevation, 1022-15 Proposed Elevation, 1022-16 Proposed Elevation, 1022-17 Section Elevations, Location Plan.

- 3) The flue and cowl shall have a matt black finish and shall be maintained as such for the lifetime of the development.
- 4) Prior to the flue approved in permissions NP/HPK/989/134 and NP/HPK/989/135 being implemented, the flue that is the subject of this permission shall be removed and the roof returned to its previous condition.

Appeal B

2. The appeal is allowed and planning permission is granted for installation of new flue to new wood burning stove at Higher Ashen Clough Barn, Maynestone Road, High Peak, SK23 6AH in accordance with the terms of the application, Ref NP/HPK/0723/0749, and the plans submitted with it, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with drawing nos 1022-01 Existing Floor & Roof Plan, 1022-02 Existing Elevations, 1022-03 Proposed Floor - Roof Plan, 1022-04A Proposed Elevations, 1022-05 Existing Site Plan, 1022-06 Proposed Site Plan, 1022-10 Proposed Ground Floor Plan, 1022-11 Proposed First Floor Plan Existing Floor & Roof Plan, 1022-12 Proposed Roof Plan, 1022-13 Proposed Part Elevation, 1022-14 Proposed Part Elevation, 1022-15 Proposed Elevation, 1022-16 Proposed Elevation, 1022-17 Section Elevations, Location Plan.
 - 3) The flue and cowl shall have a matt black finish and shall be maintained as such for the lifetime of the development.
 - 4) Prior to the flue approved in permissions NP/HPK/989/134 and NP/HPK/989/135 being implemented, the flue that is the subject of this permission shall be removed and the roof returned to its previous condition.

Preliminary Matters

3. As part of the appeal submissions the appellant has advised that the historic consent for the barn conversion¹ included permission to install a flue on the roof. The Local Planning Authority (LPA) have not advised that this consent cannot be implemented and so I have taken the matter into account in reaching a decision.
4. The LPA's concerns focus on the visual effect of the flue on the appearance of the building. I have not been made aware of any concerns regarding internal alterations and note that aside from the installation of a floorplate on which the stove would sit, there would be no physical changes internally. Loss of fabric would be limited to that necessary within the roof to facilitate the insertion of the flue.

¹ NPK/HPK/0723/0749 & 0750

Main Issues

5. Accordingly, the main issue for the appeals is the impact of the proposal on the special architectural and historic interest of the Grade II listed building known as Higher Ashen Clough Barn.

Reasons

6. 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. Policy L3 of the Peak District National Park 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.
7. Policy DMC5 of the Development Management Policies 2019 (DMP) requires 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 such development should clearly demonstrate how the building will be preserved and where possible enhanced.
8. 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. They also reflect the need for harm to such assets to be weighed against the public benefits of the proposal. The policies reflect the statutory duties defined in the Act.
9. Higher Ashen Clough Barn is a Grade II listed 17th century barn constructed from natural gritstone with a stone tiled roof. It was converted to a residential dwelling in the early 90s when a number of windows and doors were inserted in the building fabric. The property sits in a defined residential curtilage that contains modern outbuildings. The significance of the asset lies predominantly in the age of the remaining structure and in the visual contribution the agricultural profile of the building makes in the wider landscape.
10. The development would comprise the installation of a flue below the ridge of the roofpitch, on the eastern side of the roof, towards the centre of the building. It would measure 1.6m from the flashing including the cowl, and would extend 1m above the ridge of the roof. The flue would be finished in a powder coated matt black finish.
11. I noted on site that the profile of the building was that of a traditional barn, and that some of the original details – such as the ventilation blocks and original openings, provided strong visual links to the building's original purpose. However, due to the relatively large number of windows within the fabric, the garden setting, parking and domestic outbuildings, it was very clear that the barn was now a residential dwelling.
12. I have been advised that a small flue was approved as part of the original conversion works but was never implemented. I note that this flue is not in the same position and that due to the addition of a cowl the scheme before me would be slightly taller and so more visible. I haven't been advised why the original flue wasn't implemented but in the absence of evidence to the contrary

I must assume this element of the consent is still capable of implementation. It therefore constitutes a fallback for the appellant and also indicates that flues can be integrated successfully into barn conversion schemes.

13. I have considered whether the addition of the larger flue in the location proposed would erode the original agricultural character of the building and so cause harm to the significance on the asset. In views from the east the flue the full length of the flue would be visible but would be viewed in the context of the other openings and domestic paraphernalia that are now part of the front façade. As such it would not appear obtrusive, or out of place. In views from the south, due to the position of the flue and the steeply rising topography, it is unlikely that the flue would be notable or appear particularly prominent.
14. In views from the west, from adjoining property the flue would punctuate the roof slope and whilst not especially prominent, as this elevation is largely intact in its original form it would be a perceptible change. The most prominent view of the flue would, to my mind, be the view downhill on the approach from the north, where it would be seen against the distinctive catslide roof. However, even in these views it is clear from its previous alterations that the building is now a domestic dwelling, and so the degree of change that the flue would cause would be relatively minor, and not significantly more than that which would occur from the insertion of the approved flue. From further afield, across the valley, the change to the appearance of the building in the landscape would be imperceptible.
15. Taking all this in the round I consider that the scheme would cause very limited erosion to the character of the building which would be broadly similar to that which would occur from the implementation of the approved scheme. In this regard I consider the effects of the scheme to be broadly neutral and so to be consistent with guidance in the Framework.
16. The scheme would provide an additional means of heating the structure. Due to its location and fabric, I am advised that there are limitations to how secondary heating can be provided. Whilst I note the Council's comments that other options are available, including ground and air source heat pumps, I am not convinced that all would be practicable in this case, or that other measures may not in themselves involve alterations which could also lead to harm to the asset. I have also taken into account guidance within the "Conversion of Historic Buildings Supplementary Planning Document" which refers to the discreet siting of flues and advises that they should not rise off the ridge. However, in the circumstances of this case, and taking into account the available fallback and the internal layout of the building, I am satisfied that the placement of the flue is appropriate, and would not harm the established character of the building.
17. I am therefore of the view that the appellant has shown that the works are necessary, and that the flue would help ensure the long-term conservation of the asset. It follows that the proposal would not conflict with Policies L3 of the CS and Policies DMC5 and DMC7 of the DMP which together require that where change is necessary to heritage assets those changes conserve the significance of the asset.

Conclusion and Conditions

18. Therefore, for the reasons given above and having regard to all other matters raised, I conclude that the appeals be allowed. In addition to conditions regarding timing and compliance with approved plans, a condition ensuring the flue and cowl are maintained in appropriate materials will be necessary to ensure that the proposal preserves the character and appearance of the listed building.
19. Lastly, in light of the previous consent permission for this proposal would enable 2 flues to be located on the roof slope. This would be visually intrusive and would cause harm to the asset. I therefore consider it necessary to impose a condition requiring that if the historic flue permission is to be implemented, the flue that is the subject of this consent is removed before the "other" flue is installed.

Anne Jordan

INSPECTOR