



Appeal Decision

Site visit made on 23 June 2025

by K Allen MEng (Hons) MArch PGCert ARB

an Inspector appointed by the Secretary of State

Decision date: 9 July 2025

Appeal Ref: APP/P1045/W/25/3359552

**Land And Buildings West Of, Burrows Lane, Middleton By Wirksworth,
Derbyshire DE4 4NA**

- 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 Andrew Brown against the decision of Derbyshire Dales District Council.
 - The application Ref is 24/00481/FUL.
 - The development proposed is the conversion of barn to create community creative space, change of Use, considered to fall under use class F1.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the appeal site would be a suitable location for the proposed development, having regard to accessibility by sustainable modes of transport.

Reasons

3. The appeal site comprises a disused traditional, limestone field barn on the outskirts of Middleton-by-Wirksworth. Although in proximity to the village, the parties agree that the appeal site is within the countryside, primarily characterised by agricultural fields bound by drystone walls.
4. There is a paved footpath from the village until Burrows Lane, which itself forms part of the wider footpath network within the area. Whilst I accept that some users of the proposal may choose to walk, the distance from the southern side of the village would be substantial such that it would be a deterrent to walking. Further, a portion of the footpath is unlit, making it an undesirable route after dark.
5. I note that the appeal site is approximately 160m from a bus stop. However, I have no evidence before me as to the frequency of the bus service. As such, I am unable to determine if the bus service would be a convenient and reliable option for users of the site.
6. The appellant states that the offer at the site would be carefully controlled, that the occupancy would be restricted to a maximum of 6 people and that the facility would be primarily shared with those living in the village. However, in light of the above regarding footpaths and bus routes, it is likely that users of the site would be reliant on private car journeys.

7. The proposal would provide two parking spaces within the appeal site. The appellant asserts that any further parking can be accommodated at the public car park within the village. However, given the distance, it would not be appealing and so it is probable that the proposal would lead to an increase in on-street parking closer to the appeal site. Considering how narrow New Road is and the limited volume of on-street parking, this would impede the free flow of traffic.
8. In light of the above, the proposal would conflict with Policies S1 and HC19 of the Derbyshire Dales Local Plan (December 2017) (DDLPP) which aim to focus community facilities within or adjacent to existing settlements, minimising the need to travel and promoting locations which are accessible by foot, cycle or public transport with reduced reliance on the private car. Further, they seek to ensure that development does not lead to an increase in on-street parking to the detriment of the safe and efficient operation of the highway network.
9. DDLPP Policy S4 relates to development in the countryside, outside defined boundaries, and seeks to ensure that new development protects and where possible, enhances the landscape's intrinsic character and distinctiveness whilst also facilitating sustainable rural community needs, tourism and economic development. It allows for a number of development types so long as certain criteria are met.
10. The proposal would conflict with several criteria, including that which requires compliance with other policies. As previously detailed, there is conflict with Policies S1 and HC19. In addition, despite the anecdotal findings provided by the informal community consultations, I have little evidence before me to demonstrate an identified need which is not met by existing facilities within the local area.
11. The appellant asserts that the proposal would accord with DDLPP Policy S4 in that it would re-use a non-designated heritage asset¹, restore the derelict drystone walling and preserve the historic field pattern. However, the proposal before me is not required in order to maintain the heritage asset as it is not the only way to secure such a benefit.
12. Conversely, it is agreed that it would not lead to excessive encroachment or expansion of the development away from the original barn and it would also comprise the use of renewable energy technologies. Further, the proposal would have a positive effect on mental health by providing access to creative pursuits, it would allow for connection with the landscape and offer a different scale of facility than the village hall.
13. Notwithstanding this, when considered as a whole, I conclude that the appeal site would not be a suitable location for the proposed development. It would conflict with Policies S1, S4 and HC19 of the DDLPP as set out above. Similarly, the proposal would conflict with the National Planning Policy Framework (the Framework) which amongst other things encourages the development of community facilities that are accessible and physically well-related to existing settlements as well as ensuring highway safety.

¹ Derbyshire Heritage Environment Record: MDR16563

Other Matters

14. The field barn is a non-designated heritage asset. The barns significance lies in its architectural character and historic links to agriculture. The proposal would maintain both the architectural character and agricultural field pattern within the area. As such it would preserve the significance of the field barn.
15. The parties agree that the proposal would meet DDLP Policies PD1 and PD2, as well as the guidance set out in The Conversion of Farm Buildings: Supplementary Planning Document (January 2019), subject to a suitably worded condition. However, the accordance of the proposal with some policies of the local plan and supplementary planning guidance does not outweigh the conflict previously identified.
16. Prior approval has been granted under Schedule 2, Part 1, Class Q of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the conversion of the field barn to a dwelling, Use Class C3². Nevertheless, this does not set a precedent for the change of use of the appeal site to any other use class. Further, this fallback position would be less harmful insofar as movements to and from the site would be limited compared to those which could result from the proposed community use.

Conclusion

17. For the reasons given above, I conclude that the proposal would conflict with the development plan as a whole and there are no material considerations, including the Framework that outweigh that conflict. Therefore, the appeal is dismissed.

K Allen

INSPECTOR

² Application Reference: 22/01120/PDA