The Planning Inspectorate

Appeal Decision

Site visit made on 22 November 2012

by Chris Frost BSc(Hons) DipLD FLI CBiol MSB MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 10 December 2012

Appeal Ref: APP/H1033/A/12/2178217
The Barn adjacent to Glossop Road, Charlesworth, Glossop, Derbys SK13 5HB

- 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 Tim Parsons against the decision of High Peak Borough Council.
- The application Ref: HPK/2011/0567, dated 1 November 2011, was refused by notice dated 23 December 2011.
- The development proposed is the conversion and extension of an existing barn to form a residential unit.

Decision

1. The appeal is allowed and planning permission is granted for the conversion and extension of an existing barn to form a residential unit on land adjacent to Glossop Road, Charlesworth, Derbys SK13 5HB, in accordance with the terms of the application Ref: HPK/2011/0567, dated 1 November 2011, and the plans submitted with it, subject to the conditions set out in the schedule to this decision.

Main Issues

2. The main issue is the effect the development would have on the appearance and character of the Charlesworth Conservation Area and the surrounding countryside.

Reasons

3. The existing stone barn would be altered so that some currently blocked openings would be reopened, some openings blocked and one new window created. An internal floor would be added to create 2-storey living accommodation. To the south-east an extension would be added with a glazed link to the original building. The extension would have a lower ridge height and reduced width and a higher floor level as it would site on higher ground than the original barn.

4. The proposed alterations to the existing barn take account of earlier patterns of openings and would otherwise leave its external form intact. The proposed extension would have an external appearance sympathetic to the main barn and the glazed link would express its separateness from the original building. The extension is larger than one that currently has the benefit of planning

permission being 0.8m taller and 1.7m longer. It would also have some roof lights[1], although the appellant states that these are not a new feature.

5. The site lies within the Charlesworth Conservation Area and the Council is concerned that the size of the proposed extension would be excessive and inappropriate to its setting. Furthermore, the barn is adjacent to an area of open countryside and the Council considers that the proposed works would change the character and scale of the building and thereby impact on the wider openness of the area.

6. While the barn stands in a relatively prominent position at the top of a slope, the proposed extension would be largely concealed when viewed from the lower ground to the north-west. Nevertheless the barn would be extended and the proposed extension would make the building appear more significant. However, care has been taken to ensure that the ridge height of the extension remains below that of the main barn and the width and length of the extension would remain less than that of the barn.

7. The limitations on the size of the extension would give it a subservient feel and while it would be larger than the extension that currently has the benefit of planning permission there is little to support the view that it would appear excessive. The creation of a glazed link is a new concept but this would serve to differentiate the extension and would enable the form of the existing barn to be better appreciated. There would be roof lights and the Council has stated concerns regarding these, but again I do not consider that these would appear excessive in number or in size.

8. Saved policy BC5 of the High Peak Local Plan deals with conservation areas and their setting. This requires that the use, siting, scale, detailed design, external appearance and landscape treatment will preserve or enhance the special architectural or historic character or appearance of the area. Here a reasonable balance is stuck between the need to bring the existing barn into use and the desire to extend it in a sympathetic fashion. There is no reason that is sufficient to demonstrate that this policy would not be respected.

9. Saved policy OC1 of the High Peak Local Plan deals with countryside development. At bullet 1 the policy seeks to avoid development that would detract from an area where the open character of the countryside is particularly vulnerable because of its prominence. Bullet 3 seeks to avoid any significant adverse impact on the character and distinctiveness of the countryside. Here the scale and proportions and appearance of the proposed conversion would be sufficiently restrained to avoid conflict with this policy.

10. The lack of conflict with relevant policies indicates that planning permission should be granted and there are no other matters that are sufficient to indicate otherwise.

11. Various conditions are suggested by the Council. Conditions relating to the retention and protection of trees are required in the interests of visual amenity. Hard landscape works also require approval in the interests of visual amenity. However, there are no specific areas where new planting is suggested or sufficiently justified to require a condition. Limitations on permitted development rights are necessary in view of the prominence and

[1] These are shown on drawing P-004D but do not appear on the elevations shown on drawing P-005B However, the appellant's statement makes it clear that they are intended to be included.

sensitivity of the site. A condition relating to bat habitation is necessary as potential bat hibernation space would otherwise be lost. The approval of materials and construction details and finishes are necessary in the interests of visual amenity. I proposed to condense the wording of the proposed conditions in the interests of economy and clarity.

Chris Frost

Inspector

Schedule of 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 the structural report/methodology statement submitted with the application and the following approved plans: P-004D & P-005B (which shall be taken to include the roof-lights shown on P-004D).

3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

4) The development hereby permitted shall not be occupied until details of pointing, finishes to external timber and windows and doors haves been completed in accordance with details that shall first be submitted to and approved in writing by the local planning authority.

5) No development, including works of demolition or site clearance, shall take place until a Tree Protection Plan and Arboricultural Method Statement for the whole site has been submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out only in accordance with the approved Tree Protection Plan and Arboricultural Method Statement, unless the local planning authority gives written consent to any variation.

6) No development shall take place until details of hard landscape works and boundary treatments have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved. These details shall include proposed finished levels or contours; means of enclosure; car parking layout; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. refuse or other storage units, lighting).

7) All hard landscape works and boundary treatments shall be carried out in accordance with the approved details. The works shall be carried out prior to the first occupation of the dwelling or in accordance with a programme

that shall be submitted to and approved in writing by the local planning authority.

8) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no building, structure or other alteration permitted by Classes A, B, C, D, E, F and G of Part 1 of Schedule 2 of the Order shall be erected, other than those expressly authorised by this permission.

9) Prior to the commencement of development a scheme to provide opportunities for bat habitation on the site shall be submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented as approved prior to the first occupation of the dwelling.