



Appeal Decision

Site visit made on 25 October 2022

by Helen Smith BSc (Hons) MSc MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1 December 2022

Appeal Ref: APP/P1045/W/22/3301540

The Green Hall, Ashbourne Green, Ashbourne DE6 1JB

- 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 Ms A Hunt against the decision of Derbyshire Dales District Council.
 - The application Ref 21/01284/FUL, dated 18 October 2021, was refused by notice dated 5 January 2022.
 - The development proposed is described as "replacement stable block design (as originally submitted) for previously approved scheme 20/01265/FUL. Only for the private use of The Green Hall owner. (Affecting the setting of a listed building). All other items as per previous approval."
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the proposal relates to a listed building, I have had special regard to section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires the decision maker, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest.
3. Planning permission is sought for the erection of stables, a horse walker, agricultural building, and new access road. However, except for the proposed stable building, other elements of the application were previously approved under application ref: 20/01265/FUL. This previously approved scheme represents the fallback position for the appellant.
4. The Council has previously found the horse walker, agricultural building, and new access road, as proposed, to be acceptable, and I see no reason to disagree with this. As such, I shall focus my assessment on the proposed stable building, which differs from that previously approved in several ways.

Main Issue

5. The main issue is whether the proposal would preserve the setting of the Grade II listed building 'The Green Hall' (Green Hall).

Reasons

6. The appeal site comprises a parcel of undeveloped land. The designated heritage asset situated closest to the site is Green Hall and its adjacent walled

gardens. The surrounding area is mainly open countryside, and walled garden and tennis court areas are to the south.

7. Green Hall is a two and half storey red brick country house with sandstone dressings and a slate roof. It is situated in its own private gardens, which are located within a wider countryside setting. Twin gables with decorative detailing contribute to the building's stylish and authoritative architectural presence. Consequently, this listed building embodies evidential, historic and aesthetic values, which contribute to its special interest.
8. The verdancy and absence of built form of the appeal site contribute to the rural character of the setting of the listed country house building. These characteristics in turn support the architectural predominance and pre-eminence of the listed building.
9. Given the above, the special interest and significance of the listed building, insofar as it relates to this appeal, derives from the legibility and predominance of its stylish historic country house architecture, within its rural context.
10. As a part two-storey building, the proposed stable block would introduce considerable bulk and mass to the open and verdant appeal site. While the footprint of the proposed stable building would be similar to the previously approved scheme, the proposed addition of a first floor room would entail a heightened central gable with a higher ridge line and larger building mass. It would also entail more decorative architectural variety and detailing.
11. The above would be manifested in the following. A two-storey gable projection with clock feature, sash windows and blind windows, lights and stone detailing would be added. Also, a first floor trophy and awards display room is proposed, which would result in less modesty of building mass, appearance and function than the single storey equine accommodation previously proposed and approved.
12. The solid structure and height of the proposed stable block would make it appear prominent on site, in noticeable proximity to the listed building. The adjacent brick wall boundary would not effectively screen the roofline and the two-storey section of the proposal, which would be visible from the listed building and its walled garden. In addition, the proposed stable building would obscure views of the rear elevation of Green Hall, from pasture including the appeal site and to the north-west of it.
13. As such, the appeal proposal would entail a stable block of noticeably large building mass and bulk, and overly decorative appearance. This would be markedly at odds with the site as it is at present, and with the open and undeveloped rural character of the wider area. The proposed stable block's scale and massing, together with the design elements identified above would result in an overly conspicuous building that would visually compete with the listed building.
14. This would distract from appreciation of the historic exterior of the listed building, and undermine its historic architectural predominance. These adverse impacts would be noticeable from various viewpoints.
15. Opportunities for public views of the proposed stable building would be limited due to the site's topography and the proposal's positioning adjacent to nearby trees. Even so, I consider that due to its significant size, proximity to the

heritage asset and its eye-catching design features, the proposed stable building would appear intrusive from the viewpoints where it would be visible. Furthermore, considering that listed buildings are safeguarded for their inherent architectural and historic interest, irrespective of whether or not public views of the building are available, the limiting of public views would not negate the identified harm.

16. I acknowledge that the previously approved agricultural building would obscure some views of the listed building. However, this does not negate the identified adverse impacts that would arise, given the differences between the appeal proposal and the previously approved scheme.
17. Consequently, the proposal would fail to preserve the setting of the listed building, and would harm the significance of the heritage asset. Paragraph 199 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given the scale and substance of the proposal, I find the harm to the heritage asset to be less than substantial in this instance, but nonetheless of considerable importance and weight. Under such circumstances, paragraph 202 of the Framework advises that this harm should be weighed against public benefits of the proposal.
18. That the proposal would provide the appellant with a room to store equestrian trophies and awards, would be a private benefit and so not contribute to public benefits of the proposal.
19. The proposal would provide construction work for local contractors and suppliers. It would also provide employment for local people, as well as facilitating managing a couple of show jumpers and using local businesses for equestrian services and supplies. The public benefits in these respects are limited in scale and do not outweigh the great weight given to the conservation of the heritage asset, and the less than substantial harm to its significance which I have identified.
20. Reference has been made to the fallback position offered by a previous planning approval (20/01265/FUL). However, compared to the current appeal proposal before me, the previous approved stable building would have a lower ridge height and a plainer and more utilitarian design that would more sympathetically reflect its rural surroundings, within the setting of the listed building. As such, this fallback position would have different implications for the historic and built environment. Thus, it would not be as harmful as the current appeal proposal, and does not alter my findings in this case.
21. In conclusion, the proposal would fail to preserve the setting of the Green Hall listed building, with associated harm to the character and appearance of the area. As such, the proposal conflicts with Policies S4, PD1 and PD2 of the Derbyshire Dales Local Plan (2017). Together, these policies seek to ensure, among other things, that development conserves heritage assets in a manner appropriate to their significance, including through protecting their settings, and does not have an adverse impact upon the character of the area.
22. Also, the proposal would not accord with the policies of section 16 of the Framework which seek to conserve and enhance the historic environment.

Other Matters

23. The Grade II listed Green Hall Cottage is located to the immediate north-east of the hall. The Council has not raised concern regarding effect on this heritage asset. Based on the evidence before me and the observations I made during my site visit, I find that the proposal would have a neutral effect on the significance of this listed building and would preserve its setting due to the separation distance from the appeal site. However, this is a neutral effect which does not weigh in favour of the proposal.
24. The Council did not refuse the application on matters relating to highway safety or the living conditions of neighbouring occupiers. Also, there have been no objections from neighbours. These are neutral matters which do not weigh in favour of the proposal.

Conclusion

25. The proposed development would be contrary to the development plan and Framework and there are no other considerations which outweigh this finding. Accordingly, for the reasons given, the appeal fails.

Helen Smith

INSPECTOR