



# Appeal Decision

Site visit made on 10 October 2023

**by John Whalley**

**an Inspector appointed by the Secretary of State**

**Decision date: 18.10.2023**

---

**Appeal ref: APP/P1045/D/23/3328717**

**Bull Hill Farm, Kirk Ireton, Ashbourne, Derbyshire DE6 3JU**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal of planning permission.
  - The appeal is made by Frances Renwick and Michael Lawson against the decision of Derbyshire Dales District Council.
  - The application, ref. 23/00558/FUL, dated 24 May 2023, was refused by a notice dated 21 July 2023.
  - The development is: Proposed erection of replacement conservatory at Bull Hill Farm, Kirk Ireton, Derbyshire for Frances Renwick and Michael Lawson.
- 

## Decision

1. The appeal is dismissed.

## Main issue

2. The decision turns on the likely effect of the new conservatory at Bull Hill Farm on the character and appearance of the immediate surroundings.

## Appeal project

3. The appeal concerns the replacement of a dilapidated conservatory that was attached to a small dual pitched stone outbuilding at Bull Hill Farm. Photographs of the former conservatory showed it built with low walls and extensive timber framed glazing to walls and roof. It appeared to have been dilapidated prior to removal.
4. The walls to the replacement conservatory had been substantially built at the time of my visit, work having stopped when it was known planning permission was required. The walls to the new conservatory have been built with materials to match the outbuilding on the same footprint as the earlier conservatory. The roof's structure has been erected, but not yet covered. A lean-to single pitch sloping roof as before was precluded by headroom requirements.

## Local policy

5. Policy S4 of the Adopted Derbyshire Dales Local Plan seeks to ensure that new development protects the landscape's intrinsic character and distinctiveness. Development is to be appropriate to its location and is not to have an adverse impact on the character and appearance of the rural environment. Policy PD1

requires development to be of a high quality design that respects the character, identity and context of townscapes and landscapes.

### **Considerations**

6. The Council said the replacement conservatory would be incongruous. It would harm the character and appearance of the pitched roof stone building and the surrounding area. That would be contrary to Policies S4, PD1 and HC10 of the Adopted Derbyshire Dales Local Plan (2017) and the adopted Conversion of Farm Buildings Supplementary Planning Document (2019).
7. I agree with the Council that conservatories incorporating obviously domestic elements are likely to look misplaced amongst traditional rural farm buildings. In this instance, whilst not attempting to replicate the former conservatory, the newly built walls have suitably copied the appearance of the existing outbuilding walls. Completion of the new conservatory by covering it with a flat roof, however, would produce a final structure unacceptably out of keeping with the mainly agricultural character of Bull Hill Farm and its associated traditional farm buildings. The new flat roofed appeal structure, even in its uncompleted form, looks incongruous, the outer southern wall looking to be ill-fittingly high in relation to the existing outbuilding to which it is attached.
8. I accept the Appellants' opinion that the former conservatory was of little merit and that there are limited public views to its replacement. Its utility may also be an improvement on what was there before. But I cannot agree with the assertion that the new conservatory is not at odds with the form and design of the outbuilding and the main dwelling at Bull Hill Farm. Its completion as proposed would conflict with Local Plan policies S4 and PD1 drawn up to require that development is of a high quality design that protects the landscape's intrinsic character and distinctiveness.

### **Conclusion**

9. For the reasons outlined above, the appeal is dismissed.

*John Whalley*

INSPECTOR