

Appeal Decision

Site visit made on 5 October 2016

by Grahame Kean B.A. (Hons), PgCert CIPFA, Solicitor HCA

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

Decision date: 16 November 2016

Appeal Ref: APP/E2734/W/16/3154228

Greenacres, Boroughbridge Road, Bishop Monkton, North Yorkshire HE3 3QN

- 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 and Mrs Adam and Charlotte Potts against the decision of Harrogate Borough Council.
 - The application Ref 16/00015/FUL, dated 5 January 2016, was refused by notice dated 18 March 2016.
 - The development proposed is conversion and extension of disused stables to form a dwelling including the removal of an existing steel and concrete block storage barn, erection of a replacement double garage and boundary walls.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. In light of the reinstatement of the Government's policy regarding provision of affordable housing in certain circumstances on sites of less than 10 units, the Council no longer relies on the third reason for refusal of the application. I have not, therefore, considered this matter further.

Main Issues

3. The main issues in this appeal are:
 - a. Whether the proposal would be acceptable in principle having regard to its location which is outside the confines of the village; and
 - b. The effect of the proposal on the character and appearance of the area, including the Bishop Monkton Conservation Area (CA).

Reasons

Whether location acceptable in principle

4. The appeal site comprises a barn-converted dwelling (Greenacres) to the rear of Barnfold House, with access onto Boroughbridge Road and a large back garden at the end of which are a brick built stable block built in 1994 and a Dutch barn dating from 1972. To the north, beyond the appeal site are paddocks controlled by the appellants and open countryside.
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5. The proposal is to demolish the barn and convert and extend the stable block to a new dwelling. These outbuildings, (unlike Greenacres itself) are outside the settlement limits of the village as identified by Inset Map No.12 of the Harrogate District Local Plan 2001 (LP). The "Core Strategy Objectives" of the Harrogate District Core Strategy Policy 2009 (CS) include, for Policy SG4 to protect the countryside from "inappropriate" development. Policy SG4.3 resists the loss of greenfield land although it states this may be justified by national policy. The specific policy wording of CS Policy SG4 does not otherwise impose a locational bar on development.
1. The appellant states that the buildings have been used for "*domestic and agricultural use and general storage*" and has deeds showing the land "*as agricultural land for the past 150 years (used for grazing horses/cattle).*" The National Planning Policy Framework (Framework), Paragraph 17 supports the reuse of previously developed land (PDL), however it excludes land that is or has been occupied by agricultural buildings. I cannot conclude from what I have read that the horses were used other than for essentially agricultural purposes, or that the overall main use of the land was not agricultural. I do not therefore consider the appeal plot to be PDL.
2. There have been two appeal decisions related to similar proposals to replace the outbuildings with a dwelling. In 2003¹ a scheme for a substantial two-storey dwelling was rejected, as there was no special justification for a new dwelling in the countryside that was contrary to national and local policy.
3. This conclusion was also reached in the 2005 appeal decision² where the Inspector also considered the applicability of CS Policy C16 which allows the re-use of rural buildings in certain cases. Although there was a conversion element of the scheme she found that the largest part of the new dwelling would be new build following demolition of the barn. It therefore involved "extensive alteration, extension, demolition and/or rebuilding works" which was not supported by the policy. The current appeal proposal would also involve an extensive new build element (broadly on the footprint of the demolished barn) and for that reason I see no justification for applying Policy C16 in its favour.
4. Since the appeal decisions an important material consideration now has to be taken into account in the form of the Framework. Under Paragraph 55, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. New isolated homes in the countryside should be avoided save in limited cases such as where they would re-use redundant or disused buildings *and* (my emphasis) lead to an enhancement to the immediate setting.
5. Due to its distance from Boroughbridge Road the appeal plot relates more to the open fields around it than to the dwellings in the village. In the absence of specific guidance on the definition of "isolated" the meaning may be informed by the context in which the word occurs which in my view would include the potential for development to enhance or maintain the vitality of rural communities by supporting rural services. The new plot would give ready access to the village centre and its few facilities and services. However it is separated significantly further from other examples of nearby development in

¹ Appeal Ref APP/E2734/A/03/1123656

² Appeal Ref APP/E2734/A/04/1153560

depth, and in my view on balance the outbuildings are in an isolated position within the meaning of Paragraph 55 of the Framework.

6. The Council suggests that there is no case to be made for the buildings being unused. The barn contains a few desultory items of equipment but there is settlement to the blockwork walls and rusting to its metal sheeting and steel frame. In my view it is largely redundant although the smaller disused stable block appears in reasonable condition, has a modern tiled roof with sealed eaves and appears capable of some beneficial use.
7. Having regard to the objectives of CS Policy SG4 and Paragraph 55 of the Framework, I am not convinced that the siting of the proposed building would overcome the in-principle objection that the Council has to a residential redevelopment of the appeal plot, due to its isolated position.
8. Nevertheless it is fair to conclude on the evidence that there is a partial redundancy or disuse of the existing buildings, which should lead me to consider also the effect of the proposal on the immediate setting. I turn to consider this matter in conjunction with the criteria in CS Policy SG4.1 which requires development to integrate with surrounding buildings and spaces, and to be appropriate to the form and character of the settlement and landscape character of the area.

Character and appearance

9. The appeal plot is just outside the northern boundary of the CA where the linear form of development of the village is more pronounced. The CA is designated around its historic core alongside the Beck and although the odd example is referred to, there is little development in depth in this vicinity.
10. The CA appraisal document (CAA) which is a material consideration, emphasises the importance of the natural landscape that heavily influences the village, in addition to the Beck, dominating the vehicular and pedestrian routes and long vistas over open meadows. This is a positive attribute of the character at the periphery of the village.
11. The proposal is for a large 4 bed house in an L-shaped footprint to align more or less with the position of the barn and stables. Accommodation would also be provided in the new roof with several openings. Its siting would give it a poor spatial relationship with development fronting Boroughbridge Road. The landform and landscape pattern around the appeal plot is rural in character and in my view the proposal would fail to relate to this context because of its overall height and bulk, fenestration and overtly domestic appearance. This would only partially be mitigated by use of traditional materials and some design details that reference agricultural buildings.
12. The appeal plot would benefit from some screening along its boundaries. However the new dwelling would be seen from public vantage points along the footpath and open field to the north-east. Together with the proposed associated garage it would be seen as an isolated and incongruous addition between the form of the settlement and surrounding countryside.
13. Given that the size and prominence of the new building would not enhance the rural local landscape character, and that it is neither for economic development use or for affordable housing for local people, then as a building conversion it would not meet the criteria set out in CS Policy SG3.

14. I take into account that as the existing steel framed barn is of poor environmental quality it might be replaced with modern materials. This is uncertain however, and does not amount to a sufficient reason to justify a proposal that would be unsympathetic to its local context.
15. I conclude that the development would be out of keeping with the prevailing pattern of development in this part of the village and would detract significantly from the character and appearance of the village and the surrounding countryside. It would have a harmful impact on this part of the CA, contrary to the aims of LP saved Policy HD3 which would not permit development having an unacceptably adverse impact on the character or appearance of the CA. It would also be contrary to CS Policies SG3, SG4 and EQ2 which seek to protect the form and character of settlements and local landscape character.

Conclusion

16. I have considered carefully the submitted evidence in support of the proposal but find no exceptional justification for the proposed new dwelling in the countryside, which would be contrary to local and national planning policies. The harm to the CA would be less than substantial in the terms envisaged by the Framework at Paragraph 134, but still serious. It would not be mitigated by any public benefit to be derived from the proposal, taking account of the marginal contribution one dwelling would make to the maintenance of the housing supply.
17. For the above reasons and having regard to all other matters raised the appeal is dismissed.

Grahame Kean

INSPECTOR