
Appeal Decision

Site visit made on 26 June 2017

by Alison Partington BA (Hons) MA MRTPI

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

Decision date: 13 July 2017

Appeal Ref: APP/C2708/W/17/3172642

Land to north of The Rookery, Halton East, Skipton BD23 6EH

- 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 Dr John and Frances Field against the decision of Craven District Council.
 - The application Ref 34/2016/16747, dated 8 March 2016, was refused by notice dated 30 September 2016.
 - The development proposed is the erection of a single dwelling on site of existing outbuildings.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in the appeal is whether the proposed development would preserve or enhance the character or appearance on Halton East Conservation Area and the surrounding countryside

Reasons

Conservation Area and surrounding countryside

3. The appeal site lies partly within, and partly outside, the development boundaries of Halton East as defined in the *Craven District (Outside the Yorkshire Dales National Park) Local Plan 1999* (CDLP). Although I note the appellants concerns that the development limits have not been reviewed since the plan was adopted, despite the plan indicating this would be done every 5 years, and also that as all the site formed part of the residential curtilage, all of it should have been included within the limits anyway. Notwithstanding this, Policy ENV1 of the CDLP seeks to protect the character and quality of the open countryside by restricting development outside the development limits.
4. The site also lies within Halton East Conservation Area. Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* (the Act) requires special attention to be had to the desirability of preserving or enhancing the character and appearance of a conservation area. The conservation area covers the majority of the village, and also includes the open land immediately adjacent to the properties to the north and the south of the village.
5. The historic agricultural nature of Halton East is seen in the intermingling of farmhouses and buildings with other houses in the village. The widespread use

of gritstone for the construction of buildings, and the rural vernacular built form, are key characteristics in the conservation area, and give a strong sense of unity to the village. Whilst the distance houses are set back from the road varies, the majority of dwellings are clustered in a linear form along the roads through the village, with generally just outbuildings or agricultural buildings being located further away from the road frontage. In reflecting the agricultural heritage of the village, the open land around the houses, makes a positive contribution to the conservation area.

6. The appeal site lies to the rear of the host property, and forms part of its land holding that stretches as far as Green Lane. At present it is occupied by a garage, a stable block and assorted other outbuildings. Although separated from the main rear garden by a stone wall and the garage, it has a relatively domestic character that is different to the paddock to the north of the stable block, and the other fields in the vicinity. Whilst the design and materials of the outbuildings are out of keeping, their small scale and limited visibility, mean they do not have significantly adverse impact on the character and appearance of the area.
7. The proposed dwelling has been designed so it would have a similar appearance to a traditional agricultural building, although it would have various contemporary details. Nevertheless, it would still clearly be domestic in nature. Whilst the footprint may not be significantly greater than the various outbuildings on the site at present, its scale, bulk and mass would be. Consequently, even though the proposal would not be seen from the centre of the village, it would be much more visible than the existing outbuildings in views along Green Lane. In such views, despite the agricultural buildings in the adjacent field, its noticeable separation from other houses means it would appear as an incongruous feature that was out of keeping with the general form and layout of the village. In addition, its greater visibility, scale, and mass would also result in the proposal detracting from the more open character of this part of the conservation area.
8. Whilst the adjacent Barn Cottage is located to the rear of a barn that fronts Chapel Lane, as it is located in close proximity to The Rookery which is also set back some distance from this road, it relates well to the existing cluster of houses, and so does not appear as an isolated dwelling, in the way that the appeal proposal would.
9. The proposed dwelling would utilise the current grass access track from Green Lane that serves not only the garage for the host property but also as the vehicular access for the adjacent house. The informal nature of this grass track means that at present it is not a prominent feature. Whilst the track does serve two dwellings at present, The Rookery also has vehicular access from Chapel Lane, and as this leads to the parking area immediately adjacent to the house, I imagine it is used more regularly than the access to the garage. As the proposal would result in this track being the only vehicular access for two dwellings, it would therefore increase its use. Even though it is indicated that it is not proposed to tarmac the access, the increased use of the track would be likely to lead to a change in its informal character, and at the same time increase its prominence. This would be detrimental to the rural character of the area.

10. Consequently, I consider that the proposal would fail to preserve, and would cause serious harm to, the character and appearance of Halton East Conservation Area and the surrounding countryside. Thus it would not comply with the requirements of S72(1) of the Act.

Other Matters

11. The *National Planning Policy Framework* (the Framework) sets out in paragraph 47 that to significantly boost the supply of housing, local planning authorities should be able to demonstrate a 5 year supply of deliverable housing sites. The appellant has indicated that the Council currently cannot do this, and this has not been disputed by the Council.
12. In the absence of a 5 year housing land supply paragraph 49 of the Framework states that relevant policies for the supply of housing should not be considered up to date. In circumstances where relevant policies are out of date paragraph 14 of the Framework indicates that permission should be granted unless specific policies in the Framework (such as designated heritage assets) indicate that development should be restricted. Given that I have concluded that the scheme would harm Halton East Conservation Area, this is the case here.
13. The development would provide some temporary work for local contractors, and spending by future occupiers would benefit the local economy. However, given the size of the scheme these benefits would be minimal. In addition, whilst it is indicated that the proposal would enable landscaping and ecology measures to be introduced, I am not persuaded that the scheme is necessary for such measures to be carried out on the site.

Conclusion

14. Having regard to paragraph 134 of the Framework, the harm caused to the setting of the conservation area would be less than substantial, and therefore needs to be weighed against the public benefits of the proposal. In the scheme's favour it would make a small contribution to housing supply, and would also have some limited economic benefits.
15. The desirability of preserving or enhancing the character or appearance of a conservation area is a matter of considerable importance and weight. In this case, I consider that the public benefits of the scheme would be insufficient to outweigh the less than substantial harm.
16. Therefore, for the reasons set out above, I conclude the appeal should be dismissed.

Alison Partington

INSPECTOR