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## Appeal Decision

Site visit made on 31 October 2017

**by Philip Major BA(Hons) DipTP MRTPI**

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

**Decision date: 3<sup>rd</sup> November 2017**

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**Appeal Ref: APP/C2708/W/17/3180140**

**Delph Barn, Off Netherghyll Lane, Cononley, Skipton BD20 8PB.**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 3, Paragraph Q(a) and (b) of the Town and Country Planning (General Permitted Development)(England) Order 2015.
  - The appeal is made by Mr Dale Mason against the decision of Craven District Council.
  - The application Ref: 21/2017/17955, dated 18 April 2017, was refused by notice dated 7 June 2017.
  - The development proposed is described as a prior notification application for the change of use of a barn to a residential dwelling.
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### Preliminary Matters

1. This appeal relates to an application submitted pursuant to Class Q (a) and (b) of the Town and Country Planning (General Permitted Development)(England) Order 2015 (GPDO). The original plans submitted with this proposal included within the red line boundary parts of the surroundings which had a greater area than the barn itself. This means that the curtilage proposed would have exceeded the tolerance set out in the GPDO at Paragraph X, Schedule 2, Part 3. Revised plans have now been submitted which deal with this matter and I am satisfied that there would be no prejudice to any party by my considering those revised plans.
2. The starting point for the appeal is that the GPDO grants permission subject to the prior approval requirements. The Council's decision notice makes it clear that its concern lies with the desirability of converting the barn to a dwellinghouse. The other matters set out in Q.2.(1)(a) to (f) are not contested by the Council. However, this matter is for me to determine anew and I am able to consider all the matters within Q.2.(1)(a) to (f). The Appellant has addressed these matters in the appeal statement.

### Decision

3. The appeal is dismissed.

### Main Issue

4. The main issue in the appeal is whether the location or siting of the building makes it undesirable for the building to change from agricultural use to a dwelling (Class Q.2(1)(e)) and whether the proposal satisfactorily resolves matters relating to the design and external appearance of the building (Class Q.2(1)(f)).

## Reasons

5. I deal first with the matter contested by the Council. Delph Barn is set to the west of the village of Cononley in open countryside. Its location is not obvious from the nearest public highway, being just visible above the flanks of the lane which leads west from the village. However, the barn is highly visible from other public areas.
6. From the public footpath to the west there are clear views to the western and northern elevations of the barn. From the footpath to the south, across the narrow valley, there is a comprehensive view of the southern elevation and the immediate surroundings of the barn. Additionally, from the churchyard to the east, which is open to the public, there are clear views of the southern and eastern elevations and the proposed curtilage.
7. Just because a building in open countryside is visible it does not follow that its conversion would be undesirable. But in this case there are a number of matters of concern.
8. First, the normal accoutrements of residential life would be wholly out of place in this isolated location. The barn is a traditional agricultural building which sits comfortably in its setting and is an expected part of the landscape. In contrast a domestic building with access drive, parking, garden and other normal items associated with such a use (such as washing lines, garden furniture and domestic outbuildings) would stand out as discordant and incongruous features in a wholly unspoilt rural location. This would be an undesirable and harmful outcome of the proposal. The Appellant rightly points out that Planning Practice Guidance (PPG) does not identify 'undesirable' as being simply in an area where planning permission would not generally be granted. The examples in PPG also do not refer to impact on the landscape. But clearly a judgement is necessary as to whether the development would be in a location, or sited, so as to be undesirable for conversion to a dwelling. In my judgement the harm which would result from the conversion makes this an undesirable location for the development. I do not agree that the examples given in the PPG can be taken to mean that undesirability relates only to bad neighbour uses nearby.
9. Secondly, at present the proposed access is no more than a farm track, which stops well short of the building itself. In order to be fully accessible it would be necessary to extend the track, and create a parking area (as shown on the plans). This would entail breaching a dry stone wall which would further disrupt the character and visual amenity of the barn and its surroundings. For these reasons I find that the proposed conversion would be undesirable given its siting in open and unspoilt countryside.
10. Thirdly, the proposed changes to the building itself would be undesirable because they would unacceptably change the character of the building and would go beyond what is reasonably necessary for the building to function as a dwelling. In place of the limited openings in the existing barn there would be a range of domestic scale openings with a horizontal emphasis totally at odds with the form of the barn. At present the building is clearly a functional agricultural building, set into the landscape to provide the shelter and workspace required, with minimal openings. The proposal would wholly change that character and would introduce openings of unsympathetic size, shape and scale. The design and appearance of the building would therefore be

unacceptable. Matters relating to the design and external appearance of the building have not been satisfactorily resolved.

11. Turning to the other matters which are not contested by the Council, I have no reason to dispute that the proposal would be acceptable in relation to highways and transport impacts (as distinct from the visual aspects described above) that there would be no noise impacts, that contamination could be dealt with if necessary, and that there is no flood risk.
12. However, as I have set out above, it is my judgement that the proposal is undesirable because of the isolated location and siting of the building for this residential use which would lead to unacceptable harm to the character and appearance of the landscape. This in itself is sufficient to dismiss the appeal. In addition I consider the design and external appearance of the proposed conversion to be unacceptable and going beyond what is reasonably necessary for the building to function as a dwelling, as set out above.

### **Overall Conclusion**

13. For the reasons given above I conclude that the appeal should be dismissed.

*Philip Major*

INSPECTOR