
Appeal Decision

Site visit made on 23 July 2019

by William Walton BA MSc Dip Env Law LLM CPE BVC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th January 2020

Appeal Ref: APP/Y2003/W/19/3225968

Land adjacent to High Melwood Barns, Epworth, Doncaster DN9 1AB

- 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 BLD Projects Ltd. against the decision of North Lincolnshire Council.
 - The application Ref PA/2018/1099, dated 7 June 2018, was refused by notice dated 8 October 2018.
 - The development proposed is the construction of 2 dwellings and the provision of 6 allotments to complete the High Melwood Barns development.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - whether the development proposal is appropriately located;
 - whether the development proposal would affect the setting of High Melwood Farmhouse, a grade II listed building; and
 - whether the development proposal would affect the character or appearance of the area.

Reasons

Appropriate Location

3. The appeal site comprises a broadly rectangular area of unkempt land measuring around 0.5 hectares. It lies next to a group of 4 former barns converted to residential use in a relatively elevated location approximately halfway between Epworth and Owston Ferry in north Lincolnshire. The proposal is for 2 single storey dwellings and 6 allotments.
4. National and local planning policy seek to discourage isolated development in the countryside in order, amongst other things, to reduce the need for car-based travel. The appellant contends that the proposed scheme would complete an existing building development comprising the 4 converted barns and should, therefore, not be regarded as an isolated development.
5. Under Policy CS1 of the North Lincolnshire Local Development Framework: People, Places, Spaces - Core Strategy 2011 (CS) Epworth is defined as a

Market Town (see paragraph 5.46 of the CS) and Owston Ferry is defined as a Rural Settlement (see paragraph 5.47 of the CS). Areas outside Scunthorpe, market towns and rural settlements are, by process of elimination, open countryside. For the avoidance of doubt, High Melwood Barns is not identified as any form of settlement in the CS. Therefore, contrary to the claim made by the Appellant, it does not comply with the advice set out at paragraph 78 of the National Planning Policy Framework (the Framework).

6. With above in mind I conclude that the appeal proposal does constitute an isolated development. It is, therefore, contrary to the Council's settlement development strategy unless one or more of the exceptions identified in policies CS8 of the CS or RD2 of the North Lincolnshire Local Plan 2003 (LP) apply.
7. The appellant does not seek to argue that the proposal meets any of the exceptions identified in these two policies but makes various other contentions instead. In response to these I hold that the Council's earlier decision to approve the barn conversions is not relevant to the determination of this appeal for new build dwellings. The policy of seeking to protect the open countryside from sporadic development to discourage private vehicle usage and reduce greenhouse gas emissions accords with the Framework. Whilst I agree that car-based journeys to Epworth would be relatively short, they would still lead to increased greenhouse gas emissions. Similarly, whilst goods can be purchased on-line and delivered this does not remove the need for car-based travel. Since I was not presented with any clear evidence concerning the housing land supply situation, I find that the issue is not relevant to this appeal. Finally, as I have not seen any convincing evidence, I do not accept the proposition that the site cannot be used for agriculture purposes.
8. Having considered the above points I find that the appeal proposal is not located in an appropriate location. It is, therefore, contrary to policies CS1, CS2, CS3 and CS8 of the CS, and RD2 of the LP, which individually and collectively seek to discourage isolated development in the countryside. Finally, it is contrary to paragraphs 8, 10, 11, 78 and 79 of the Framework which seek to promote sustainable housing development.

Setting of High Melwood Farmhouse

9. High Melwood Farmhouse is a grade II listed building which lies approximately 150 metres west of the site. Under s.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 there is a special regard to be had to the desirability of preserving the building or its setting.
10. According to the listing description High Melwood Farmhouse was originally built as a family house and converted to a farmhouse in the c18. The description goes on to state that it is an unusual survivor in a prominent location.
11. I have no information as to when the former barns, which are located between High Melwood Farmhouse and the appeal site, were originally constructed. Although their conversion to dwellings and the addition of neatly tended gardens and a tarmac road has slightly suburbanised the character of the area, I find that these structures still relate clearly to the listed farmhouse in terms of their historic function. They, therefore, constitute part of the setting of High Melwood Farmhouse.

12. The proposed development would introduce 2 new dwellings adjacent to the former barns, and thus within the setting of the listed farmhouse. Notwithstanding the high quality of design of the 2 proposed dwellings and their sympathy to the existing converted barns, they would nevertheless appear to be additions to the collection of former farm buildings rather than as conversions of original structures. This would disrupt the historical integrity of the site. However, because of the high quality of their design, I find that they would cause less than substantial harm to the significance of the heritage asset.
13. I acknowledge that the development proposal would provide 2 new, high quality, homes. Nevertheless, I have found that the proposal would cause harm to the setting of the listed High Melwood Farmhouse. Having considered the benefit of the proposal against the harm that would be caused to the setting, I find that the scales weigh more heavily in the direction of protecting the listed building and its setting. Consequently, I find that the proposal would be contrary to policies HE5 of the LP and CS6 of the CS which both seek to protect the district's historic buildings. It would also be contrary to paragraph 194 of the Framework which advises that any proposal likely to affect the setting of a listed building should be clearly justified.

Character or Appearance

14. The appeal site is separated from the adjacent unclassified Epworth-Owston Ferry road by high hedges. On the south side of the site is a line of mature trees. During my visit to the area I was struck by the very high quality of the barn conversions.
15. The appellant contends that the proposed dwellings will complement the existing collection of buildings at High Melwood. Further, they will be screened from the adjacent road by the mature hedging. The collection of mature trees along the southern boundary of the site will reduce their visibility from the Burnham Road approximately 1.5 kilometres to the south.
16. An accompanying landscape review provides photographic evidence of the possible visual impact of the appeal proposal from 6 separate locations. Having visited each of these I agree with the consultant's conclusion that the proposed dwellings would not be visually intrusive in the landscape. I concur that they would only be visible briefly to those using the adjacent road. Further, I find that notwithstanding their relatively elevated position, due to their single storey form, their materials and their adjacency to the barn conversions, the new houses would meld in with the existing grouping of buildings at High Melwood.
17. In considering the issue of character or appearance I am mindful that the Isle of Axholme, due in large part to its historic strip field system, is designated as an Area of Special Historic Landscape Interest and as a Historic Landscape under the LP. These designations seek to prevent most forms of development in order to protect this very historic and precious landscape.
18. Nevertheless, I note that under the LP and the CS permission can be granted for new development subject to the need to give special attention to protecting the scenic quality and local distinctiveness of the landscape. I conclude that because of the high quality of their design, their single-storey profile and the surrounding landscaping the 2 new dwellings would not cause harm to the

character or appearance of the area. The appeal proposal is, therefore, consistent with policies LC7 and LC14 of the LP which seek to protect historic landscapes, policy CS6 of the CS which seeks to protect the medieval landscape of the Isle of Axholme and paragraph 200 of the Framework (in as far as it relates to the designated historic landscape) which advises that proposals that make a positive contribution to a heritage asset should be treated favourably.

Other Matters

19. The Appellant states that the occupants of the 4 converted barns support the proposed development. No letters have been provided to evidence this statement.

Planning Balance and Conclusion

20. I have found that the proposed development would not be in an appropriate location and would damage the setting of the listed High Mellwood Farmhouse. I have not found, however, that the development proposal would cause harm to the character and appearance of the area. Having weighed these findings up, I find that the development proposal is contrary to the development plan as a whole. This finding is not outweighed by any other considerations. I therefore dismiss the appeal.

William Walton

INSPECTOR