



Appeal Decision

Site visit made on 4 August 2020

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 October 2020

Appeal Ref: APP/G2713/W/20/3249181

Broughton Grange, High Street, Great Broughton, North Yorkshire TS9 7HE

- 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 Mark Noble against the decision of Hambleton District Council.
 - The application Ref 19/02302/FUL, dated 30 October 2019, was refused by notice dated 7 February 2020.
 - The development proposed is the erection of new 3 bed dwelling house, alterations to existing driveway and landscaping.
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Decision

1. The appeal is allowed and planning permission is granted for the erection of new 3 bed dwelling house, alterations to existing driveway and landscaping at Broughton Grange, High Street, Great Broughton, North Yorkshire TS9 7HE, in accordance with the terms of the application, Ref 19/02302/FUL, dated 30 October 2019, subject to the conditions in the schedule attached to this decision.

Main Issues

2. The main issues are whether the proposal would cause harm to the setting and significance of the listed building and whether the appeal site is a suitable location for the development proposed with regard to settlement limits.

Reasons

Setting and significance of the heritage asset

3. The appeal site is an open, grassed area, within a historic farm complex, Broughton Grange, which contains the former farmhouse, stables and a range of outbuildings, now all converted into separate residential use. The complex also now includes a more recent dwelling and a number of stables and modern outbuildings. The site is screened from the road by a substantial line of trees and hedging, which limits views into the complex to glimpses through the accesses. Filtered views of the complex are possible from a recent residential development through the trees along the northern boundary, which follows the defined settlement limit.
4. The appeal site itself is proposed to be accessed by a modern driveway which currently serves the farmhouse, former stables and their associated parking area. The older, original access to Broughton Grange now appears to be largely used by the newer dwelling and the outbuildings now in residential use. The farmhouse and former stables are now largely screened from that access by a substantial line of hedging and fencing. This gives the impression of a visual

- and functional separation between the farmhouse, former stables and the land and buildings associated with the earlier active agricultural use.
5. Both the Broughton Grange farmhouse and attached stables are Grade II listed. As such, I am required to have special regard to the desirability of preserving their setting, and the National Planning Policy Framework (the Framework) requires that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
 6. The Council has not carried out its own, separate, assessment of the significance of the heritage asset, but instead notes that the Heritage Statement submitted by the appellant reasonably assesses the significance of the listed building and the contribution of its setting to its significance. The Council does however disagree with the appellants' conclusions on the effect of the proposal on that significance.
 7. The significance of the heritage asset lies largely in the physical fabric of the building itself, which demonstrates the origins of the building, its development over time, as well as the elements of the interior and exterior detailing which have historic interest in themselves, and reflect the local vernacular. The spatial relationship of the farmhouse and former stable to the now-converted outbuildings also contribute to the significance of the asset, demonstrating the historic relationship between the farmhouse, those buildings and the wider landscape.
 8. Given the arrangement of the farmhouse and former stable, as well as the historic arrangement of the buildings in the complex, I consider that the appeal site itself has a neutral role in the significance of the asset. Whilst the appeal site can be seen in the context of the farmhouse and wider complex, it is separated by both the modern driveway and boundary features which emphasise the separation between the appeal site and the listed building itself.
 9. Trees within the site, the metal estate fencing, modern driveway, and parking areas, all serve to separate the appeal site from the listed buildings both functionally and visually. Therefore, in my opinion the appeal site already appears somewhat disconnected from the farmhouse. I consider that the impression of the farmhouse is of being behind the driveway, and this impression is reinforced when entering the site and viewing the farmhouse, either from the modern access or the northern access. As such, I cannot agree that the appeal proposal would harm any sense of grandeur or arrival upon entering the site.
 10. The Council accepts that the wider site tells a story of the hierarchy of the buildings within it. I agree with this conclusion, but not that the addition of another building would lead to any additional or unacceptable loss of historic context or unacceptably and harmfully alter the relationship between the listed building, the wider complex and the overall nature of the site. Rather, I consider that the appeal proposal would be another piece of this story.
 11. Having regard therefore to the appearance of the site, its layout, as well as the changes which have taken place within the wider complex, I consider that the appeal proposal would have a neutral effect on the significance of the heritage asset, and would therefore preserve the setting of the listed building.

12. Policy DP28 of the Hambleton District Council Local Development Framework, Development Plan Document, Development Policies, adopted 26 February 2008 (the LDF) seeks, amongst other things to ensure the conservation of heritage through the preservation and enhancement of listed buildings, and seeks to ensure that development affecting setting should seek to preserve or enhance the aspects that contribute to its character and appearance.
13. I have found above that the proposal has a neutral effect on both the significance of the heritage asset, and on the setting of the listed building, and have had regard to the great weight which should be given to the asset's conservation. As a result, I find that the proposal preserves the setting of the listed building and the aspects of that setting which contribute to its character and appearance. The proposal does therefore comply with Policy DP28 of the LDF, as well as the overarching requirement in the Framework to conserve and enhance the historic environment.

Suitability of the location

14. Both parties accept that the appeal site lies outside the settlement limits of Great Broughton identified in the LDF, and that as such, Policy CP4, which seeks to direct development to the most suitable and sustainable locations, and sets out exceptions to that direction, is relevant. The Interim Policy Guidance (the IPG) sets criteria for small scale housing development in villages.
15. Turning first to Policy CP4, it is clear that the appeal site, and the other buildings at Broughton Grange are outside the settlement limits. The appeal proposal is therefore contrary to this policy, and in my view, does not meet any of the exceptions listed within it.
16. However, it was also clear from my site visit and the parties' submissions, that the reality on the ground has somewhat overtaken the policy position in the LDF. Great Broughton has grown towards the Broughton Grange complex, which now has the appearance of being immediately adjacent to the settlement, rather than some distance away from it.
17. I note that the Council considers that the beck lying between the Broughton Grange complex and the settlement limit of the village itself plays an important role in dividing the character of the open countryside beyond the settlement limit, from the built form of the village itself. I do not agree. In my opinion, neither the beck, nor the bridge which crosses it are such prominent or obvious delineating features as the Council suggests. Instead, in my opinion, the complex now appears to be intimately and immediately adjacent to the defined settlement limit, to the degree that its character and appearance is not that of open countryside.
18. For the reasons set out above, in relation to the extremely limited public views and the screening of the appeal site itself, as apart from views into and of, the whole complex, I also do not consider that the appeal proposal would cause damage to the open countryside character and appearance of the area. The appeal proposal would be sited behind a substantial screen of trees, hedging, other vegetation and fencing. I also note that the trees directly located between the house and the road are protected.
19. For the reasons above, despite the conflict with the LDF policy, I conclude that on balance, the appeal site does function as and appears to be within the

settlement, and the harm which Policy CP4 of the LDF seeks to protect against, would not arise as a result of the appeal proposal.

20. I have also considered the proposal against the criteria in the IPG. I note the concerns of the Parish Council on the level of services available in the village. However, having regard to my observations on my site visit and the comments of the Council, consider that there are services within the village which could be supported by the development. Coupled with my findings on the location of the site, and the policy status of Great Broughton, I consider that criteria 1 is satisfied.
21. Criteria 2, 3 and 4 have been satisfied in my reasoning above. Neither the Council nor any consultees have raised any infrastructure concerns, satisfying criteria 5. Both the report and statement of the Council suggest that the appeal proposal raises no other conflict with relevant LDF policies, satisfying criteria 6. As such, in light of my findings on the main issues, I do not consider that the proposal conflicts with the IPG.
22. For the above reasons, whilst the proposal does conflict with Policy CP4 of the LDF, I consider that the location of the site and its relationship to the village, coupled with the compliance of the proposal with the criteria in the IPG, are material considerations of such weight to warrant a decision being taken other than in accordance with the development plan. I therefore find that the appeal site is a suitable location for the development proposed.

Conditions

23. The Council has suggested a number of conditions to be attached, should planning permission be granted. I am satisfied that they are necessary in order to ensure the satisfactory appearance of the completed development, to ensure suitable provision and maintenance of parking and manoeuvring space, and to ensure that the development can take place without harm to the safety or convenience of the public highway. I have had regard to the requirements of both the Framework and the Planning Practice Guidance and am satisfied that the conditions imposed meet these tests.

Conclusion

24. Weighed in the overall balance, I consider that as the proposal has a neutral effect on the significance of the listed building and causes no harm to its setting it complies with the development plan in that regard. I also consider that despite the location of the site outside the defined settlement limits, it harms neither the existing built form and character of the village nor the character or appearance of the open countryside. I consider that this is a material consideration sufficient to indicate a decision be taken other than in accordance with the development plan.
25. For the reasons given above I therefore conclude that the appeal should be allowed, and planning permission granted.

S Dean

INSPECTOR

Schedule of Conditions

1. The development hereby permitted shall begin not later than 3 years from the date of this decision.
2. The development hereby permitted shall be carried out in accordance with the following plans; ST174888-002, 18/02/1722-200 Rev A, 18/02/1722-201, as well as the drawings and methodologies set out in ST17488 Broughton Grange AIA Report FINAL (Arboricultural Impact Assessment).
3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing 18/02/1722-201. Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
5. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
6. There shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - a. on-site parking capable of accommodating all staff and subcontractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

End of schedule of conditions