



Appeal Decision

Site Visit made on 6 July 2021

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19th July 2021

Appeal Ref: APP/C2708/W/21/3272309

The Old School, Bank Newton, Skipton BD23 3NT

- 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 Miss Fitton against the decision of Craven District Council.
 - The application Ref 2020/21694/FUL, dated 30 May 2020, was refused by notice dated 26 January 2021.
 - The development proposed is described as “proposed conversion of an equestrian building to form 8 holiday lets”.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council’s statement of case confirms that the Sustainable Design and Construction Statement subsequently submitted by the appellant adequately addresses the sustainable design element of the second reason for refusal in its decision notice. My decision does not therefore address this element of the second reason for refusal.

Main Issues

3. The main issues are the effect of the proposed development on the character and appearance of the area with particular regard to its design, and on the setting of the nearby listed buildings.

Reasons

Character and Appearance

4. The appeal property lies in an attractive area of open countryside. There is some built development in the surrounding area. This is mainly associated with rural activities such as working farms and a number of stone-built farmhouses and cottages, and as such are expected to be found in such a location. There is also a small complex of holiday rentals/residential use within a cluster of buildings at Bank Newton. These properties reflect the character of the other buildings in the surrounding area in terms of design, scale, materials and layout.
5. The appeal property is a large portal framed building with a modern agricultural-like appearance. Although it does not add any positive elements to the landscape, it is similar to other large agricultural-type buildings found in the area. The proposed development would involve substantial alterations to the appeal property. This would include new walls with larch boarding that

- would be inset on the east and west elevations, a new roof, new exposed struts, extensive glazing to the east and west elevations including large patio doors on both of these elevations at ground floor level and the introduction of patio areas to each of the proposed units that would be separated by a larch board fence.
6. These extensive alterations would result in a building that would appear very different to its current form. Rather than a simple building that is similar to a number of agricultural buildings in the area, the resulting building would have a much busier appearance. In other locations such a design may be appropriate. However, in this location, the design would result in a development that would be in marked contrast to the prevailing character and appearance of the area. This is because the layout of the holiday units, the extensive and regular pattern of glazing and fenced patio areas in particular would have the appearance of a row of terraced houses which would be of an inappropriate urban character. This would be out of character with the style of other buildings in the area and would result in a development that would appear incongruous with the area's prevailing dispersed pattern of development and the character of the small cluster of properties at Bank Newton. As such, the design of the proposed development would have a significantly harmful urbanising effect within what is a rural landscape.
 7. The plan submitted with the application shows a bitmac footway running adjacent to the road to the front of the appeal building leading to the proposed car park to the south. This would provide a hard edge to the proposed development and would exacerbate the urban sense when approaching along the single-track road. It would be at odds therefore with the boundary of this road which is a narrow grass verge for much of its length and would further detract from the rural character and appearance of the area.
 8. I note that the appellant submitted a letter to the Council dated 10 November 2020 in response to the consultation response from the Council's heritage advisor, although it appears that it was not submitted as a formal amendment. This letter includes a sketch showing the footway as a block paved path. This letter also includes a sketch illustrating how the use of brise soleil could be used to screen the external struts. Whilst a block paved path may have a less harmful effect than a bitmac footway, it would still result in a hard edge to the proposed development and would not provide adequate mitigation to overcome the harm that would be caused by the development as a whole. Whilst the brise soleil may help to screen the exposed struts and upper windows it would still contribute to the busy design and would not overcome the concerns about the incongruous design for this location.
 9. The appellant states that the proposed development would appear more as a large converted building and gives examples of other farmstead buildings that have been converted. The examples given reflect their local context and do not appear to be incongruous as a result. I cannot therefore draw any direct comparison with the proposed development that would weigh in its favour. Accordingly, I give these examples very limited weight.
 10. The design of the proposed development would not reflect its local context. As a consequence, it would be significantly harmful to the character and appearance of the area. The proposed development would therefore conflict with Policy ENV1 of the Craven Local Plan 2012 to 2032 (2019) (the Local Plan)

as it would not respect, safeguard, restore or enhance the landscape character of the area. It would also conflict with Policy ENV3 of the Local Plan as it would not respond to its context nor would it respect the form of existing and surrounding buildings.

11. Given that the proposed development would conflict with Policy ENV3, it would also conflict with Policy EC1 of the Local Plan. This policy supports proposals for employment/economic development in locations such as that proposed where they meet a number of criteria including being of a design that accords with the provisions of Policy ENV3.
12. The proposed development would be contrary to paragraph 170 of the National Planning Policy Framework (the Framework) as it would not recognise the intrinsic character and beauty of the countryside. It would also conflict with the design objectives set out in paragraph 124 of the Framework.

Setting of Listed Buildings

13. There are a number of grade II listed buildings in the vicinity of the appeal property. I have therefore had special regard to the requirements of section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). The listed buildings that the proposed development would be most likely to affect the setting of are Newton Grange Farmhouse to the south and the Outbuilding at Newton Grange Farm (known as Chapel House) immediately south. The Council considers that the smaller building that sits in between Chapel House and the appeal building (known as The Hermitage) is a curtilage listed building.
14. Newton Grange Farmhouse was listed in 1989 (listing reference 1167639) and is likely to date from the early 19th century. The Outbuilding at Newton Grange Farm was listed in 1989 (listing reference 1316827) and is described as a former cart shed possibly a fragment of the previous farmhouse from the 17th century. The significance of the listed buildings and the curtilage listed building derives from their historical associations with the area's farming industry and the evidence they provide of the architectural style and building techniques of the time. Their setting within the wider rural landscape is an important element of the association with the farming history of the area and they have a group value in this respect.
15. The appeal property would be visible in the same view as these listed buildings. In its current form, the appeal building does have a slight negative effect on the setting of the listed buildings, in particular the curtilage listed building given its closer proximity and comparatively small scale. However, the appeal property's simple form does not visually compete with the listed buildings to a significant degree. As set out above, the design of the proposed development is more complex and as such would draw the eye away from the listed buildings more than the appeal property in its current form. Furthermore, the design would result in a development that appears to be quite modern and more urban in character.
16. As a result, the proposed development would visually distract from the historic and rural setting of the listed buildings. It would therefore cause harm to their significance. In terms of the Framework, I assess the harm as less than substantial, given that the significance of the listed buildings would remain largely intact. Nevertheless, this harm is of considerable importance and

weight. Under such circumstances, the Framework advises that the harm should be weighed against the public benefits of the proposal.

17. The Officer Report sets out a number of economic, social and environmental benefits identified by the appellant. These include the economic benefits of bringing an economic site back into use, the creation of jobs and supporting nearby shops and services; the social benefits of preventing the site falling in to a worse state of repair and the fact that unused buildings and land attract unwanted recreational activities; the environmental benefits of using brownfield land, re-using an existing building, appearance and biodiversity benefits arising from the proposed planting and the nearby tow path supporting sustainable transport.
18. Whilst there would be economic benefits from the proposed development due to direct employment through activities such as cleaning and maintenance and spin off effects from holiday makers making use of local shops and services, the appellant has not quantified these. As such I give these economic benefits moderate weight. I have no evidence to suggest that the appeal property is subject to unwanted recreational activities. The proposed development would improve the state of repair of the appeal property although at present, it has a relatively neutral effect on the appearance of the area. I therefore give the social benefits identified limited weight. Making use of brownfield land and an existing building is a positive factor but, in this case, the proposed development would involve substantial rebuilding of the appeal property. A landscaping scheme would be a usual requirement for a development such as that proposed to mitigate its effects and it would not amount to a public benefit nor would the presence of an existing tow path.
19. The harm that I have identified attracts considerable weight against the proposed development. Given the weight that I attach to the public benefits, these would not outweigh the harm that would be caused. Consequently, the proposed development would conflict with Policy ENV2 of the Local Plan which seeks, amongst other matters, to ensure that proposals affecting a designated heritage asset conserve those elements which contribute to its significance and that harm to such elements will be permitted only where this is outweighed by the public benefits of the proposal. It would also conflict with Policy EC1 of the Local Plan which supports proposals for employment/economic development in locations such as that proposed where they meet a number of criteria including not adversely affecting the significance of designated heritage assets.
20. The proposed development would also conflict with paragraphs 184, 194 and 196 of the Framework which require heritage assets to be conserved in a manner appropriate to their significance, that any harm to a heritage asset should have clear and convincing justification and that less than substantial harm to the significance of a designated heritage asset is weighed against the public benefits of the proposal. The proposed development would also fail to satisfy the requirements of the Act.

Other Matters

21. As set out above, there would be benefits associated with the proposed development. I therefore concur with the Officer Report that the proposed development would have support from Policies EC3 and EC4 of the Local Plan. However, these benefits do not, individually or cumulatively, outweigh the significant harm to the character and appearance of the area nor do they

outweigh the considerable weight given to the harm to the setting of the nearby listed buildings.

22. I note the appellant's concerns regarding the Council's handling of the case including concern about referring to the proposed development as a new build and an agricultural building. In determining this appeal, I am only able to have regard to the planning merits of the case. The proposed development would involve a substantial element of rebuilding and whilst the Council has referred to the appeal building as both an equestrian and agricultural building this does not alter my view about the harm caused by the proposed development.

Conclusion

23. The proposed development would cause significant harm to the character and appearance of the area due to its design and less than substantial harm to designated heritage assets and would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. For the reasons given, I conclude that the appeal should not succeed.

F Wilkinson

INSPECTOR