



Appeal Decision

Site visit made on 22 November 2021

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 January 2022

Appeal Ref: APP/N2739/D/21/3281293

The Cart Shed, Thorpe Hall Farm, Dam Lane, Thorpe Willoughby, Selby YO8 9LU

- 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 James Crickmore against the decision of Selby District Council.
 - The application Ref 2020/1297/HPA, dated 24 November 2020, was refused by notice dated 28 May 2021.
 - The development proposed is described as 'Erection of a single storey side extension and porch'.
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Decision

1. The appeal is dismissed.

Applications for costs

2. An application for costs was made by James Crickmore against Selby District Council which is the subject of a separate decision.

Procedural Matters

3. I understand that, following approval for change of use, the building as it now stands was rebuilt (and thus does not represent an object within the curtilage of the listed building pre-dating 1 July 1948 with reference to the provisions of section 1(5) of the Listed Building Act 1990 as amended). However, the evidence before me in that regard is not definitive. Nevertheless, in the eventuality that listed building consent is also required, that is a separate legislative regime to the context in which I am taking this decision.
4. On 20 July 2021, a revised version of the National Planning Policy Framework (the Framework) was published. The revised Framework does not materially alter the national policy approach in respect of the issues raised in this appeal.

Main Issue

5. The main issue is the effect of the development proposed on the character and appearance of the host property, the surrounding area and the setting of the Grade II listed building opposite Thorpe Hall.

Reasons

6. The appeal site comprises a single storey detached former cart shed which has been converted into a dwelling. It is located to the north of a rectangular range of former agricultural buildings (the rectangular range) which are Grade II listed, with open fields to the north and west, and Dam Lane and the fields

beyond it, to the east. Thorpe Hall, also a Grade II listed building, is located on the eastern side of Dam Lane within close proximity of the site.

7. The rectangular range of buildings comprise a series of attractive single and two storey former agricultural buildings which have been converted to dwellings. The significance of the buildings derives from their distinctive courtyard arrangement in a countryside setting opposite the listed Thorpe Hall, their simple agricultural appearance and consistency of facing brickwork and natural clay pantile roofs.
8. Despite having been previously altered from its former character as an open fronted cart shed, the host property retains a pleasing agricultural appearance which reflects its former use and contributes positively to its rural surroundings. In particular it retains its characteristic rectangular plan form. Given its proximity, the appeal property is within the setting of the Grade II listed rectangular range.
9. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me, in considering whether to grant planning permission for development which affects a listed building or its setting, to have special regard to the desirability of preserving the building's setting.
10. The proposed development comprises two elements: a single storey extension to the western side of the building and an oak framed porch to the northern elevation. The proposals include a link structure between the single storey side extension and the host property which would be recessed from the front and rear walls of the existing building. The side extension would be timber clad and would feature a pitched roof which would run at right angles to the main house roof and be set below it.
11. The proposed link structure would provide some relief between the existing building and the proposed side extension. The combination of the set down from the main roof and use of timber cladding would distinguish the proposal from the original building. Given the scale of the proposal compared to the original building, I do not share the Council's view that the side extension would be a disproportionate addition. Nevertheless, given the way that it would project forward of the northern elevation of the original building means that the proposal would compete with and partly obscure this end of the building. It would disrupt and unbalance the rectangular plan form of the building and thereby detract from its simple form and character. Moreover, the large amount of glazing to the northern and eastern elevations of the extension would draw the eye and appear out of place on this former agricultural building.
12. Based on the evidence, the host building originally included a timber structure to one end, but this was removed and rebuilt in brick as part of the conversion works. Therefore, the use of timber cladding to the extension would not be at odds with the original character of the building. However, for the reasons I have identified above, the siting, layout and design of the proposal would not reflect the building's simple agricultural character or that of the rectangular range to the south.
13. Although the proposed porch would be modest in size, it would introduce a new design feature to the building and would not be sympathetic to the existing

simple and linear form of the building. The porch would therefore further emphasise the inappropriate nature of the proposals.

14. During my site visit I observed that there were gaps in the roadside hedgerow, such that the proposed extensions would be partially visible from Dam Lane, where they would appear as an unsympathetic form of development which would detract from the rural surroundings.
15. Given my findings above that the proposal would be harmful to the character and appearance of the host property and its rural surroundings, it follows that the contribution that the extended dwelling would make to the significance of the setting of the listed rectangular range would be diminished. The extended dwelling would harm the simple agricultural character which is an important part of the setting of the listed building.
16. I note that there are two brick and timber garage buildings to the west of the rectangular range. The appellant considers that the Council, in refusing planning permission for the appeal proposal but granting consent for the timber garages, has been inconsistent in its decision making. Although they are substantial in size, the garages are detached structures of relatively simple design and appearance which broadly reflect the agricultural origins of the rectangular range. As such, they are not comparable to the appeal proposal and do not justify the harm I have identified.
17. The appellant claims that the Council, in the absence of any Supplementary Planning Document (SPD), has made a subjective judgement without considering other decisions. In this regard the appellant has referred to other examples of large domestic extensions to properties elsewhere within the district. However, I do not have the substantive details of these cases before me to enable me to draw any comparisons with the appeal proposal, and each inevitably has design considerations and a surrounding context specific to it rather than to the appeal site. Accordingly, I have determined the appeal on its own merits and do not find that the presence of previous approvals outweighs or alters my findings above. Whilst there may be no SPD relevant to the proposal, there is a clear requirement within the Framework and local planning policies for development to respect local character and due to the nature of the proposal this would not be achieved.
18. For the above reasons, I conclude that the proposed development would harm the character and appearance of the host property and the surrounding area, and would not preserve the setting of the Grade II listed rectangular range opposite Thorpe Hall. Consequently, the proposal would conflict with saved Policies H14 and ENV1 of the Selby District Local Plan (2005) (LP) and Policies SP18 and SP19 of Selby District Core Strategy (2013). Taken together, these policies aim to achieve high quality design, safeguard the character of the countryside, seek to ensure proposals preserve or enhance historic assets and have regard to local character. The proposed development would also fail to comply with the Framework which seeks to conserve and enhance the historic environment.
19. On the basis of my findings above, I find no conflict with saved Policy ENV24 of the LP, which relates to alterations to listed buildings.
20. Paragraph 202 of the Framework states that where a development proposal would lead to less than substantial harm to the significance of a designated

heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimal viable use. The proposed development would result in less than substantial harm to the significance of the setting of the Grade II listed rectangular range. I acknowledge that the proposal would provide additional accommodation and be likely to increase the thermal efficiency of the property, which would be of benefit to the occupants. However, there is no evidence before me to indicate that there would be any public benefit that would outweigh the harm that I have identified.

Conclusion

21. For the above reasons, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, the appeal should be dismissed.

M Ollerenshaw

INSPECTOR