



Appeal Decision

Site visit made on 17 January 2022

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 January 2022

Appeal Ref: APP/G2713/W/21/3281854

Barn Adjacent to Bon Lea House, Little Smeaton, Northallerton DL6 2HE

- 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 & Mrs G Brooks against the decision of Hambleton District Council.
 - The application Ref 19/01833/FUL, dated 20 August 2019, was refused by notice dated 17 May 2021.
 - The development proposed is conversion of a barn into 3 dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address given in the banner heading above differs from the application form and decision notice but has been agreed with the main parties as accurately reflecting the location and the appellants ownership of Bon Lea House.
3. I have been referred to the emerging Hambleton Local Plan. Although I understand that the examination has been completed, I do not know the extent to which there are unresolved objections. Given the stage it is at, and in accordance with Paragraph 48 of the National Planning Policy Framework (the Framework), I give it limited weight.

Main Issues

4. The main issues in this appeal are whether the site represents an appropriate location for the proposed dwellings, having particular regard to national and local planning policies.

Reasons

5. The appeal building is a large former agricultural building, which appeared to be in use for general storage purposes at the time of my site visit. The appeal building is positioned along a private road shared by several properties. Although it is close to Hornby and Great Smeaton, it is separated by countryside.
6. The appeal site is not served by public transport and the private road serving it is long and narrow with no pedestrian footways or lighting and is used by several users including residential and agricultural traffic. As such, it would not be an attractive route for pedestrians, cyclists or families with young children, particularly after dark or during bad weather.

7. Future occupiers of the development would be heavily reliant on the use of private motor vehicles to access day to day services and facilities. Such a lack of accessibility by means of transport other than private vehicle is contrary to the sustainable transport aims of the Framework.
8. However, the Framework acknowledges that opportunities for sustainable transport solutions in rural areas are reduced. Moreover, the appellants have referred me to an appeal decision at Long Newton which discusses the provisions of the Framework in relation to isolated homes in the countryside. I agree with the findings of the Long Newton appeal that a test of the building's accessibility is not a requirement of the provisions now laid out in paragraph 80 of the Framework.
9. The building is no longer used as an agricultural building, having originally been used for rearing beef cattle. However, at the time of my site visit the building was being used for general storage purposes. I have no substantive details regarding this storage use or how, in this regard, the building is redundant or disused.
10. Even if I were to accept that the building was redundant or disused, paragraph 80 c) of the Framework allows development that would re-use such buildings where there would be an enhancement of the immediate setting.
11. The existing building appeared in good condition. It is positioned in a group of buildings including the building known as Bon Lea to the south, Willow Grange to the north east and a large building associated with Willow Grange immediately to the north and grassed paddock to the west. Its condition and position relative to the other buildings is such that it does not detract from the visual amenity of this part of the countryside.
12. Although there are several properties along the road and in the group of buildings, this is a distinctly rural landscape with sporadic houses. The proposal would result in a terrace of three dwellings significantly increasing the density of housing in this group.
13. The appellant advises that the proposal would identify potential opportunities to reuse existing materials and utilise recycled aggregate wherever possible. However, this is unquantified. Moreover, whilst the broad shape of the building would be maintained, the change of materials to brickwork, slate and UPVC windows, along with the design and pattern of windows would result in a distinctly domestic appearance. The combination of these features would result in a substantial alteration to the building which would, along with the increased density, significantly erode the rural qualities of the site.
14. Even though the site is not prominent in public views, it would be seen in private views from the access road and neighbouring land. In this regard, I cannot accept that the proposal would lead to an enhancement to the immediate setting.
15. The remote location would limit the extent of support to the vitality of the local community from future occupiers. There would be some limited benefits from the additional support to the local economy from future occupiers of the houses and from the conversion works. Whilst these are factors which are encouraged by the Framework and Policy CP4 of the Council's Core Strategy (CS), the benefits arising from 3 dwellings in this location would be limited.

16. Drawing the above together, the appeal site does not represent an appropriate location for the proposed dwellings, having particular regard to national and local planning policies. Whilst I accept that Policy CP4 of the CS goes beyond the requirements laid out in paragraph 80 c) of the Framework, the proposal nonetheless conflicts with this policy. This allows, amongst other things, proposals which would re-use existing buildings without substantial alteration or reconstruction and where it would help to support a sustainable rural economy. Moreover, for the reasons given above, the proposal would also conflict with the provisions of paragraph 80 c) of the Framework.

Other Matters

17. I'm told Bon Lea was converted under a Class Q prior notification which had timed out. However, I do not have substantive details of this scheme, limiting the weight I can afford it. Moreover, it relates to a single dwelling which within the broader grouping has not significantly altered the amount of residential development in this part of the countryside. This would be in contrast to the appeal scheme, which would significantly increase the amount of residential activity in this location, eroding the rural qualities of this part of the countryside.
18. Due to the location of the appeal building with Bon Lea to the south, the proposal would not encroach into the setting of the listed buildings further south at Hornby Grange.
19. The absence of harm in relation to other matters including flood risk and highway safety are neutral matters weighing neither for, nor against, the proposal.
20. Concerns regarding the processing of the application, including matters relating to communication are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposal before me.

Conclusion

21. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR