
Appeal Decision

Site visit made on 17 March 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st APRIL 2022

Appeal Ref: APP/C9499/D/21/3288963

Throstle Nest Barn, Crackpot to Gunnerside, Low Row DL11 6NJ

- 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 and Mrs Nicholls against the decision of Yorkshire Dales National Park Authority.
 - The application Ref R/03/28D, dated 7 August 2021, was refused by notice dated 1 October 2021.
 - The development proposed is a new porch.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. I have been provided with two application forms and decision notices. However, the appeal form clarifies that the appeal relates to the second, amended proposal, Ref R/03/28D. I have determined the appeal on that basis.
3. The description of the proposal has been altered from the application form to the decision notice. That on the application form adequately describes the proposal and I have determined the appeal on this basis.

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the dwelling and the Swaledale and Arkengarthdale Barns and Walls Conservation Area (the Conservation Area).

Reasons

5. This part of the Conservation Area comprises largely of sloping pastoral fields set above the River Swale, separated by dry stone walls with interspersed buildings, generally of stone construction. The form and detailing of these buildings are one of the defining features of its character and appearance.
6. The evidence indicates that the building previously formed a redundant agricultural barn prior to being converted to a dwelling. The building is clearly distinguishable as a former barn, given its simple form, its limited and rather random openings and its external steps which provide access to what is now a first-floor bedroom. The building as a whole also includes traditional cart doors although this part of the building is not included within the footprint of the dwelling on the plans before me.

7. It is a building which contributes positively to the character and appearance of the Conservation Area, within which such buildings are a key characteristic.
8. A porch, however, is typically a domestic feature and its inclusion would represent a small, but harmful erosion of the simple and traditional form of the converted barn. Retaining the simplicity of traditional barns is clearly an important issue within the area and in recognition of this, the Design Guide¹ which relates to converting a traditional building has been brought to my attention. It advises that amongst other features, porches are typically domestic in style and should be avoided, particularly on farm buildings.
9. The proposal would therefore detract from the appearance of the building and would subsequently detract from the heritage significance of the Conservation Area which lies in part with the form and detailing of its buildings.
10. I accept that the porch extension would not be prominent in public views from the highway to the north by reason of being placed on the southern elevation of the building.
11. However, the absence of public views are no basis on which to consider allowing the appeal proposal given the harm that would be caused to the character and appearance of the Conservation Area. The porch would be visible from various points on the hillside to the south and the property appears to be let out as holiday accommodation, so the porch could and would be seen by the various visitors.
12. The harm to the significance of the Conservation Area is less than substantial. Paragraph 196 of the National Planning Policy Framework (the Framework) requires such harm to be weighed against any public benefits of the proposal.
13. The benefits of this scheme, in part, sit with the provision of increased living space at the appeal property. However, I was able to view the internal arrangement at the property and the existing doorway opens out into a well sized kitchen/dining area with practical flooring. Further, it is also conceivable that the inclusion of a porch could lead to energy efficiency savings, but many other dwellings do not have a porch and are able to function in an energy efficient manner.
14. Given the degree of harm I have found that arises from the appeal scheme and the statutory protection afforded to Conservation Areas, such benefits are not sufficient to outweigh this harm.
15. The proposal would fail to accord with Policies SP1, SP2, SP4 and L1 of the Yorkshire Dales National Park Local Plan (2016) (YDNPLP). Amongst other things, these policies require well designed proposals that contribute positively to the built environment which reinforce local distinctiveness and which conserve or enhance the significance of designated heritage assets. The proposal would also run contrary to the design guidance.
16. I have not found direct conflict with Policy L3 of the YDNPLP which is worded to relate specifically to proposals for the conversion of traditional buildings to new uses.

¹ Yorkshire Dales National Park Design Guide 6.0 Converting a traditional building.

Other Matters

17. The proposal would not detract from the solid to void ratio on the elevation given that the porch would not include any openings other than for a door which would have the same appearance of the existing ground floor level door on the elevation.
18. I appreciate that the appeal relates to a re-submitted application which sought to overcome the concerns of the authority in relation to the original application, but I have clearly outlined above why the proposal in the re-submitted form is not acceptable.
19. My attention has been drawn to porches on other buildings. However, very limited information has been supplied in relation to the context of these porches and planning permissions and I cannot be certain that they relate to the same or similar circumstances to those before me. I therefore afford them limited weight.
20. My attention has also been drawn to a single storey glass extension at Mudd House, which is nearby and which I was able to view at a distance from across the valley. However, this relates to a very different form of development and it does not therefore provide justification for the proposal. I also therefore afford this matter limited weight.

Conclusion

21. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR