



Appeal Decision

Site visit made on 22 February 2022

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2022

Appeal Ref: APP/E2734/W/21/3288954

2 Sunny Bank, Roebuck Lane, Clifton LS21 2HA

- 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 Neil Stringwell against the decision of Harrogate Borough Council.
 - The application Ref 21/01079/FUL, dated 1 March 2021, was refused by notice dated 15 October 2021.
 - The development proposed is convert redundant barn to provide extra accommodation to 2 Sunny Bank.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application, albeit with a minor variation to reflect the site address.

Main Issue

3. The main issue is whether the proposal would be sustainable development having regard to local and national planning policy, with due regard to the Nidderdale Area of Outstanding Natural Beauty (AONB) and non-designated heritage assets.

Reasons

4. The appeal site consists of a redundant agricultural building located some distance away from a group of dwellings extending along Roebuck Lane. The existing building is relatively modern, although as an understated agricultural building it complements the rural character of the landscape in which it sits.
5. In its decision, the Council states that the proposed conversion would amount to the creation of a new dwelling. Conversely, the appellant submits that the proposal would be an annex to the existing dwelling of 2 Sunny Bank, and refers to matters including that the proposal would not have a separate postal

address and would share access and parking with the existing dwelling. However, the proposal would provide facilities which would enable independent living and would be set in a distinctly separate and self-contained plot from the existing dwelling. Whilst there may be a degree of shared access, based on the evidence before me independent parking provision would be available to both the existing dwelling and the proposal. As a matter of fact and degree, I conclude that the proposal would represent the creation of a new dwelling rather than an annex.

6. Policy HS6 of the Harrogate District Local Plan 2020 (the Local Plan) relates to the conversion of rural buildings for housing. This policy includes a number of criteria, and based on the evidence before me the proposal would meet criteria A, E and F which relate to matters including the structural integrity of the existing building, biodiversity, and harm from issues such as traffic and the erection of structures.
7. However, the proposed alterations would change the character of the building through the insertion of windows and doors of a domestic appearance, including windows at a higher level on a gable wall. This would change the character of the building from a rural agricultural appearance to a residential dwelling. The proposal would appear as a contrived conversion of this relatively modern building located separately from the cluster of dwellings in this area, and would be viewed as an incongruous element in this rural landscape. On that basis, the proposal would conflict with criteria B, C and D of policy HS6 which relate to matters of design and the effect on the landscape.
8. For the same reasons, the proposal would also be detrimental to the landscape of the AONB, and I am mindful that the National Planning Policy Framework (the Framework) requires that great weight should be given to conserving and enhancing landscape and scenic beauty, and that the AONB has the highest status of protection in relation to these issues.
9. The appellant refers to the conversion of the barn to a viable and functional use which would provide for longer term care. The supporting text for policy HS6 of the Local Plan also sets out that traditional rural buildings are an important part of the district's built heritage and are a significant feature in the landscape. The Local Plan goes on to state that conversion and re-use offers the opportunity to retain these buildings and be put back into beneficial use rather than being allowed to fall into disrepair. However, the building which is the subject of this appeal is relatively modern, and other than its agricultural appearance it is of no particular heritage or landscape merit. Its retention, and particularly on the basis of the incongruous design proposed, does not therefore carry significant weight in favour of this appeal.
10. The facilities in the immediate area are limited, and notwithstanding features such as a nearby public house and village hall, residents of the proposal would need to rely on the private vehicle to access services such as shops, education and employment. However, access to services by sustainable means is not a limitation referred to in policy HS6 and this therefore does not count against the proposal when assessed against that policy. Also, although I have concluded that the proposal would lead to the creation of a new dwelling, in principle this would also not be contrary to policy HS6 which supports the conversion of rural buildings to residential use, subject to a number of criteria.

11. The Council submits that No 2 is a non-designated heritage asset, although it has not set out its significance other than its date of construction and general reference to historic character. The Council considers that the proposal would not be subservient to the main house and would be dominant in respect of the building hierarchy. However, I have concluded that the proposal would be distinctly separate from the group of dwellings incorporating No 2, and on that basis it would not be viewed within the context of the building hierarchy. The proposal would therefore not harm the significance of any heritage interest that No 2 may have.
12. Notwithstanding my conclusion in respect of policies on the sustainability of the location and the effect on heritage assets, I conclude that the proposal would lead to significant harm to the character and appearance of the area and the AONB due to its design and location. The proposal would therefore conflict with the design, landscape and local distinctiveness requirements of policies HS6, GS6, HP3 and NE4 of the Local Plan. The proposal would also be contrary to the Framework with regards to achieving well-designed places as well as conserving and enhancing the natural environment, including in respect of the landscape and scenic beauty of the AONB.
13. The proposal would also conflict with the advice of the Council's Design Guide on the Re-use & Adaptation of Rural Buildings 1992 in respect of unacceptable changes to buildings, as well as the Landscape Character Assessment 2004 which seeks to ensure that development fits with the settlement pattern and vernacular.
14. I find no conflict with policy GS1 of the Local Plan as the proposal would contribute to the provision of new homes. However, that contribution would be very limited and this does not indicate that the proposal should be determined other than in accordance with policy HS6.
15. The proposal would be located outside of the settlement hierarchy and development limits of policies GS2 and GS3 of the Local Plan. However, this does not weigh against the proposal as policy HS6 addresses the principle of the conversion of rural buildings for housing.
16. I have found that the proposal would not harm the significance of the non-designated heritage asset of No 2. The proposal would therefore not conflict with the heritage considerations of policy HP2 of the Local Plan or the Council's Heritage Management Guidance 2014.
17. The advice of the Council's House Extensions & Garages Design Guide 2005 is not relevant to my consideration of this appeal as I have concluded that the proposal would result in a new dwelling rather than an extension or annex.

Other Matters

18. The appellant submits that the proposed development would be on brownfield land. However, the definition of previously developed land (i.e. brownfield land) in the Framework excludes land that is or was last occupied by agricultural buildings. On that basis, the proposal would not be located on brownfield land, and this matter does not weigh in favour of the appeal.
19. The appeal site is within the Green Belt. However, the Council has concluded that the proposal would not affect the openness of the Green Belt, and would therefore not represent inappropriate development under paragraph 150(d) of

the Framework in respect of the re-use of buildings. Based on the evidence before me, I see no reason to disagree.

Conclusion

20. The proposal would harm the character and appearance of the area and the AONB, and would conflict with the development plan and the Framework taken as a whole with regards to achieving sustainable development. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR