

Appeal Decision

Site visit made on 5 April 2022

by S Dean MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25 April 2022

Appeal Ref: APP/C2708/W/21/3288518

Hallstacks Farm Barn, Wigglesworth, Settle, BD23 4RL

- 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 John Holgate against the decision of Craven District Council.
 - The application Ref 2020/22352/FUL, dated 6 December 2020, was refused by notice dated 20 July 2021.
 - The development proposed is "to replace and improve an existing farm barn complex with two houses within the same spatial envelope and to the same aesthetic as the existing barn complex".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether or not i) the site is a suitable location for the development proposed, having regard to the development plan, and ii) the proposal would harm Craven's countryside and landscape.

Reasons

Location

3. The appeal site is a group of farm buildings of varying heights, materials, appearance and condition, fronting onto the highway, adjacent to a residential property and an area of woodland. Some of the buildings were in active use at the time of my site visit and repairs have been made since the submission of the appeal. The farm barn complex lies within an area defined as open countryside. As such, proposals for housing in this location stand to be considered against Criteria K within Policy SP4 of the Craven Local Plan 2012-2032 (the Local Plan).
4. That policy criteria seeks to limit proposals for new homes in the countryside away from existing settlements but there are exceptions under which residential development would be supported in the open countryside.
5. As the proposal is not to meet the essential needs of a rural worker and is not a designated heritage asset it does not fall under exceptions a or b. It cannot be considered against exception c, even if it would result in an enhancement to the immediate setting as it is not for the re-use of the buildings on site.

6. I acknowledge that the existing buildings are in a poor state of repair. However, there is no detailed, compelling evidence before me to suggest that their conversion, in line with exception c is not possible, only that in the view of the appellant it would be most sensible to demolish and rebuild. Whilst the net effect of a conversion and the proposed fresh-build may be similar, they are nevertheless different and as such, have different policy approaches. In that regard, I have some sympathy with the tension highlighted by the appellant, that reuse is acceptable, but that fresh-build is not, however that is the policy and legislative framework within which this decision must be taken.
7. Exception d allows for residential development in the open countryside if the design is of exceptional quality and in accordance with the National Planning Policy Framework (the Framework). In considering the proposal against this criterion, I accept the point of the appellant that for a proposal to be considered of exceptional quality, it does not necessarily have to be flagged as such in advance.
8. The design and quality of the proposal is well-considered, well-executed and sympathetic, in that it manages to provide for two dwellings in a rural, open countryside site, matching the forms, volumes, materials palette and overall character of the existing building. However, I am not persuaded that it clears the very high bar set in the Local Plan and the Framework to be regarded as exceptional as at its heart, it simply results in a more refined version of the existing built-form of the site and is much more akin to a conversion.
9. Whilst the proposal would result in two houses integrated into the same envelope as the existing buildings, giving the impression of converted barns, I do not find that such an approach would be truly outstanding, reflecting the highest standards in architecture, as the net effect, and visual first impressions would be substantially the same as existing. For the same reasons, I do not find that the proposal would represent the raising of the standards of design more generally in rural areas.
10. I accept that the proposal could be considered to enhance its immediate setting and be sensitive to the defining characteristics of the local area. However, the exceptional quality test at Paragraph 80e of the Framework requires both parts to be met. As a result, the proposal does not benefit from exception d in Criteria K of Policy SP4 in the Local Plan.
11. I therefore find that the site is not a suitable location for the development proposed, having regard to the development plan, as the proposal is for housing in the open countryside and does not fall under any of the exceptions listed within Policy SP4 of the Local Plan. Furthermore, whilst the proposal does represent good design and quality, would enhance its immediate setting, and be sensitive to the defining characteristics of the local area it is not necessarily design of exceptional quality, that is truly outstanding, reflecting the highest standards in architecture, and would not help to raise standards of design more generally in rural areas. The proposal would conflict with Policy SD1 of the Local Plan insofar as proposals must accord with the provisions of the development plan.

Countryside and landscape

12. As noted, the site lies within open countryside, and is open to the rural, agricultural landscape on three sides. However, the visibility of the site is limited in views along the road by level changes and the woodland to the south. As a result, views of the site from the road would be brief, limiting the ability of passers-by to see the buildings as much more than the agricultural buildings they seek to replicate. More lingering views may be possible from the public right of way, but that is a reasonable distance from the site, such that I find the visual effect would be acceptable. For the same reasons, I do not find that normal domestic paraphernalia would be unduly or unacceptably visible.
13. As such, for the same reasons that the design and quality of the proposal is at the least, good, rather than exceptional, that it would have fundamentally the same form, volumes, and masses as the existing, and would be finished in materials appropriate for the agricultural setting of the site, I find that the proposal would conserve the rural setting and agricultural appearance of Craven's countryside and landscape.
14. The proposal would therefore not conflict with Policy ENV1 of the Local Plan which seeks, amongst other things, to ensure that development respects, safeguards, and where possible, restores or enhances the landscape character of the area.

Other Matters

15. I note that the appellant considered there was a lack of ability to engage with the Council during the application process over the issue of reuse against fresh-build, and around the assessment of exceptional quality and design. Given the Framework emphasis on approaching decisions in a positive and creative way, I have some sympathy with their position. I also note their desire to explore opportunities for improvement of the proposal during the appeal. However, it is not possible to resolve these issues or appropriate to evolve the proposal during an appeal.
16. I note the support of the Parish Council for the proposal, and as set out above, whilst I agree that the proposal is interesting and appropriate to its context, I am not convinced that it meets the exceptions set out within the development plan policy. I have also considered the energy efficiency points made by the appellant and the Parish Council in support of the proposal.
17. Whilst I accept that the proposed dwellings do include sustainable design details as set out in the Design and Access Statement, I do not have sufficient information before me to compare this fresh-build proposal against conversion or any other policy-compliant proposals, such that any conflict with the development plan may be outweighed by relevant material considerations around environmental performance or sustainability.

Conclusion

18. For the reasons given above I have found that although the proposal would not harm Craven's countryside and landscape, the site is not a suitable location for the development proposed, having regard to the development plan. I find this development plan conflict to be significant and of far greater weight than the compliance with policies around the countryside and landscape.
19. As a result, I find that the proposal would conflict with the development plan as a whole. Furthermore, the support of the Parish Council and the proposed energy efficiency of the dwellings, whilst they are relevant material considerations, are not of such weight to indicate that a decision be taken other than in accordance with the development plan.
20. The appeal should therefore be dismissed.

S Dean

INSPECTOR