



Appeal Decision

Site visit made on 24 May 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 25th May 2022

Appeal Ref: APP/E2734/D/22/3295452

Braythorne Barn, Church Lane, Stainburn LS21 2LW

- 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 T Knockton against the decision of Harrogate Borough Council.
 - The application Ref 21/04155/FUL, dated 15 September 2021, was refused by notice dated 1 December 2021.
 - The development proposed is described as “first floor extension to existing dwelling”.
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Decision

1. The appeal is allowed and planning permission is granted for first floor extension to existing dwelling at Braythorne Barn, Church Lane, Stainburn LS21 2LW in accordance with the terms of the application, Ref 21/04155/FUL, dated 15 September 2021, subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location Plan; 15352/02; 15352/04 rev A; 15352/05; 15352/07 Rev A; 15352/08 Rev A; 15352/09.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
 - 4) Works must be undertaken strictly in accordance with the Method Statement which forms section 9.2 of the Bat, Breeding Bird and Barn Owl Survey, MAB Environment & Ecology, August 2021. The recommended bat and bird boxes shall be emplaced in suitable locations prior to the first occupation of the new extension.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the appeal building and surrounding area.

Reasons

3. The area surrounding the appeal site is characterised mainly by residential properties converted from barns located in the rural countryside. The converted barns in the area are of traditional design being of simple but varied forms. It is this mixed built form that contributes positively to the character of the area.

4. The proposal would sit above the existing single storey element of the property. The ridge and eaves of the proposal would be set down from the main property and with a gabled projection would replicate the design of the single storey element. The proposal therefore would appear subservient to the main building that would not be an over-dominant addition.
5. The proposed extension would be visible from some surrounding views including Church Lane. Due to the proposal's location, scale and massing, it would respect local distinctiveness and not appear as an incongruous structure that detracts from the converted traditional rural building.
6. The proposal would not be a discordant extension and would not be harmful to the character and appearance of the appeal building or surrounding area. The proposal would be in accordance with Policies HP3, HS6 and HS8 of the Harrogate District Local Plan 2020, the Harrogate House Extensions and Garages Design Guide, the Harrogate Re-use and Adaption of Rural Buildings – A Design Guide and the National Planning Policy Framework (the Framework) which seeks development to incorporate high quality design that protects, enhances or reinforces those characteristics that contribute to the local distinctiveness.

Conditions

7. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. In the interests of character and appearance a condition is necessary in relation to materials. A condition relating to the Bat, Breeding Bird and Barn Owl Survey is necessary in the interests of protected species and their habitats.

Conclusion

8. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
9. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR