



Appeal Decision

Site visit made on 31 May 2022

by Paul Cooper MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 July 2022

Appeal Ref: APP/Y2736/W/22/3293439

York Lane Farm, York Lane, Flaxton YO60 7QZ

- 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 Stephen Walton against the decision of Ryedale District Council.
 - The application Ref 21/01505/FUL, dated 10 November 2021, was refused by notice dated 16 February 2022.
 - The development proposed is change of use of barn to office and alterations adding 2 windows, rear door, and installation of packaged treatment plant.
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Decision

1. The appeal is dismissed.

Application for costs

2. An application for costs was made by Stephen Walton against Ryedale District Council. This application will be the subject of a separate Decision.

Procedural Matter

3. It appears that amended plans were submitted after the Planning Committee deadline but prior to the Committee meeting where the application was heard. This amended the scheme to reduce the application to 2no. windows and include additional landscaping. The application was determined on the basis of the amended scheme and the banner above has been modified appropriately. I am satisfied that no party is prejudiced by this course of action.

Main Issue

4. The main issue is whether the proposed development would represent a sustainable form of development with regard to its location and development plan policy.

Reasons

5. The appeal site is a small section of land that currently houses an agricultural building and accompanying hardstanding, set in a larger field under the ownership of the appellant. The building is approximately 18m x 9m, to an overall height of 5.8m. The site is outside development limits and is allocated as Wider Open Countryside in the Ryedale Plan – Local Plan Strategy (2013) (the LPS).
6. The appeal proposal seeks to change the use of the agricultural barn to an office, including two windows. A package treatment plant would deal with drainage and surface water would discharge to soakaway.

7. From the evidence provided, it would appear that the building does not have the necessary ventilation for the storage of hay, and the storage and collection of hay would be better served by another building. As a result, the appellant has stated that the current building would be underused/redundant.
8. The policy position for the conversion of existing buildings is set out in policy SP6 of the LPS for conversion of existing buildings in the Wider Open Countryside to support rural economic activity and this is reinforced by policy SP9 which sets out the relative criteria that would be supported.
9. There is little evidence provided to demonstrate that the change of use would be in line with supporting rural activity, and in the light of the paucity of such information, I am not satisfied that the proposal would meet the aims of SP6 and SP9.
10. Without the justification for the use, given the size of the building, there is potential for it to be used by a considerable number of people, with the possible movements of people and vehicles eroding the rural nature of the surroundings, and more akin to a commercial location. This could not be controlled effectively by planning condition.
11. The follow-on effect of the proposed use is the question of sustainability. Whilst I agree with the previous Inspector that this is not an isolated building, due to the proximity of other unconnected buildings, the actual appeal site is within an isolated area, and as a result I find that the area is not sustainable.
12. By that definition, it is in respect of the fact that there are no nearby public transportation links, and occupiers would be required to use a private vehicle. This would be magnified by the lack of amenities nearby, increasing the need for a private car.
13. Whilst there is support within national and local policy for diversification and re-use of buildings in rural areas, I find there is little weight can be attached to the re-use of this building for the proposed use.
14. As such, I find the proposal to be contrary to policies SP1, SP13, SP16 and SP20 of the LPS, which collectively, amongst other matters, expect development to be supportive of a rural economy. I also find conflict with the guidance set out in Paragraph 85 of the National Planning Policy Framework.

Conclusion

15. The proposal would therefore conflict with the development plan and there are no other considerations that outweigh this conflict. For the reasons outlined above, I conclude that the appeal should be dismissed.

Paul Cooper

INSPECTOR