



Appeal Decision

Site visit made on 5 July 2022

by C Megginson BA(hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th July 2022

Appeal Ref: APP/G2713/W/22/3294533

Rose Cottage, Ingleby Greenhow, Middlesbrough, North Yorkshire TS9 6RF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Schedule 2, Part 6, Class A of the Town and Country Planning (General Permitted Development) Order 2015.
 - The appeal is made by Mrs Joanne Christon against the decision of Hambleton District Council.
 - The application Ref 22/00006/APN, dated 2 January 2022, was refused by notice dated 7 February 2022.
 - The development proposed is an agricultural barn.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The Council state that the application was refused on 1 March 2022, however, I have three decision notices before me, all dated 7 February 2022. Included within the reasons on one of the decisions is 'sufficient information has not been received which demonstrates that the building proposed is reasonably necessary to serve this agricultural unit due to the fact that it is small in nature and already benefits from a building used for storage of machinery and feed which is commensurate with the operation in question.' However, in the Council's appeal statement and officer report, they state that they have accepted that the building may be classed as 'reasonably necessary.' I have dealt with the appeal on this basis and consider that the proposal complies with the description of permitted development as set out in Schedule 2, Part 6, Class A.1 of the Town and Country Planning (General Permitted Development) Order 2015.

Main Issue

3. Development which complies with Class A.1 is subject to the conditions in paragraph A.2. Sub-paragraph 2 of paragraph A.2- requires, amongst other things, the developer to apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the siting, design and external appearance of the building.
4. Therefore, the main issue is the visual effect of the proposed development on the surrounding area having regard to its siting, design and external appearance.

Reasons

5. The appeal site sits in a rural landscape surrounded by agricultural land in a field to the north of the farmhouse. The field features dense screening to the southwest and north-eastern boundaries and hedgerows to the remaining boundaries which give the site an enclosed feel. However, the site rises up from south to north and the proposed building due to its siting towards the centre of the field would be very prominent when viewed from the road to the southeast.
6. Furthermore, due to its siting, isolated from any other buildings or landscape features, it would be visible in mid and long-range views, most notably, from Clay Bank, within the North York Moors National Park, albeit from some distance. I note that the National Park Authority have no objection due, in summary, to its small size, distance from the National Park boundary and intervening woodland screening. However, they also state that they would advise the re-siting of the barn so that 'it wasn't in the middle of the field and was sited alongside one of the boundaries to provide screening from local immediate viewpoints.' I consider that due to its siting, the proposed building would be intrusive and prominent in the local landscape setting.
7. The form and scale of the appeal proposal would be simple and straightforward and can be considered appropriate for the proposed storage of farm equipment, feed and livestock. The proposed materials would be stone and slate to match the existing dwelling, however, as the building would be remote from the dwelling, the choice of these striking materials in this exposed position would amplify the incongruous nature of the building. The appellant has highlighted agricultural buildings in the local area with similar materials. This may be the case, however, from the evidence before me it appears that these buildings relate closely to other farm buildings where matching materials would be more appropriate.
8. For the reasons given above, I conclude that the visual effect of the proposed development on the surrounding area, having regard to its siting and external appearance, would be harmful. Therefore, overall, the development would not constitute permitted development under Class A of Part 6 to Schedule 2 of the GPDO.

Other Matters

9. The appellant has highlighted other larger scale barns, built out of industrial materials that are located in fields where there are no other buildings. I have limited evidence on these cases. The circumstances in each proposal are likely to be different, and in any event the fact that apparently similar proposals may have been permitted is not a reason, on its own, to allow unacceptable development.
10. There is disagreement between the appellant and the Council as to whether the buildings within 400m of the wider site constitute a protected dwelling. I have insufficient evidence for me to reach a conclusion on this and as the appeal proposal is outside the 400m, it would not alter my conclusions.
11. I appreciate the appellant's circumstances and frustration with the process, including their previous prior approval and their desire to find an appropriate location for the building to help them achieve their vision for their farming

business. Nevertheless, I have considered this appeal proposal on its own merits and concluded that it would cause harm for the reasons set out above.

Conclusion

12. For the reasons set out above, and having regard to all other matters raised, the appeal is dismissed.

C Megginson

INSPECTOR