



Appeal Decision

Site visit made on 8 June 2022

by R C Kirby BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 2nd August 2022

Appeal Ref: APP/G2713/Y/21/3288455

Sunny Bank, Carlton Husthwaite, Thirsk YO7 2BW

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr David Wilkinson against the decision of Hambleton District Council.
 - The application Ref 21/00351/LBC dated 7 February 2021 was refused by notice dated 15 June 2021.
 - The works proposed are alterations and extension to existing east elevation utility room. Replace existing asbestos roof with red pantile roof, pitched to match main building. Increase height of walls to create additional storey. Take down and erect new east gable to extension.
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Decision

1. The appeal is dismissed.

Applications for Costs

2. An application for costs was made by Mr David Wilkinson against Hambleton District Council. This application is the subject of a separate Decision.

Procedural Matters

3. During the course of the application the appellant submitted revised drawings for the Council's consideration. The Council determined the application on the basis of these drawings and my assessment of this appeal is on the same basis.
4. As the proposal relates to a listed building in a conservation area, I have had special regard to sections 16(2) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act). As listed building appeals are not subject to section 38(6) of the Planning and Compulsory Purchase Act 2004, they do not need to be determined in accordance with the development plan although relevant provisions can be a material consideration.
5. The appellant has referred to Policies S7 and E5 of the new Local Plan, but as I have not been provided with a copy of these, I am unable to determine whether or not there would be conflict with them.

Main Issue

6. The main issue is whether the proposed works would preserve the listed building, or its setting or any features of special architectural or historic interest which it possesses; and whether the character or appearance of the Carlton Husthwaite Conservation Area (CHCA) would be preserved or enhanced.

Reasons

7. The appeal property, a two-storey detached former farmhouse constructed of red brick under a pantile roof, is the Grade II listed building known as Sunnybank Farmhouse (List Entry Number: 1150752). The property fronts Main Street, the central spine through the small rural village of Carlton Husthwaite, within the CHCA.
8. The statutory list description identifies Sunnybank Farmhouse as dating from the late 17th century with later alterations and additions including mid-late 18th century refronting and rebuilding. A garden extends to the rear of the listed building, beyond which is a series of farm buildings presumably historically functionally related to its former farmhouse use. The listed building has evidently undergone extension and changes over time, and into the 20th-century, including various phases of extension, roofing and fenestration.
9. The special interest of the listed building arises in part from the historic and architectural interest of its façade, surviving historic fabric, including brick work and windows, which reflect the building's historic status, use and functional hierarchy. Special interest is also derived from a legibility of the building's evolution over time, changing social circumstances and historical use, including its connection to the farm buildings and yard to the rear.
10. The appeal concerns a single-storey utility room that extends off the building's eastern gable that, along with the Yorkshire sliding sash window on its rear elevation, likely dates from the 18th century. The utility, constructed of brick with a corrugated asbestos lean-to roof; has a single storey flat-roofed 'pantry' accessed from its eastern end, and a greenhouse along its southern wall.
11. Scars on the building's eastern gable indicate the roof of the utility has undergone changes to pitch and overall heights, and the 20th century corrugated covering is of no architectural or historic interest. Nevertheless, the subservient scale and design of the easterly sections of the listed building denote a hierarchy of functions and uses within the building that, in my judgement, contributes to its architectural and historic interest and significance. So too does the more traditional elements of fabric within the pantry, including its rear window and timber plank door. I note the appellant does not consider there to be any agricultural connection between the utility and 'pantry' per se. Nevertheless, with the rear door providing access from the property, through the garden and into the farmyard, it gives the sense of a historic functional character to this day, which is also of special interest.
12. The special interest of the CA is in part derived from the integral relationship between Main Street, the traditional vernacular buildings along it, and the village's wider rural landscape surroundings. Lying within the heart of the CA, the appeal property is a prominent, attractive and traditionally detailed building set in a well-defined plot with a close relationship to agricultural outbuildings. In this way, the listed building contributes positively to the historic built backcloth and evolution of the village that is of value to its character and appearance and to the CA as a whole.
13. The Council has previously granted listed building consent¹ for works to the utility room, including increasing the height of its south-facing brick wall by

¹ Application Refs 19/01251/FUL and 19/00919/LBC

three courses, and installation of a pantile roof. The proposals before me, however, are materially different. Not least, it is now being proposed to provide accommodation at first floor level, increase in the size of the footprint of the utility so that the footprint extends to reach the extant pantry, and to install a new door and windows.

14. Although the proposal would provide a pitched roof over the utility room, and return it to a pre-existing roof form, the ridge height of the new roof would be between the scars of former roof lines, thereby not responding to either of the phases of the building's evolution. The removal of the eastern flank wall would also result in some loss of historic fabric, while increasing the overall footprint. The legibility of the pantry and successive additions to the building would be eroded. The removal of the rear door to the utility room would, in my judgement, weaken the enduring legibility and relationship between the former farmhouse and the exterior spaces and ancillary farm buildings to the rear. Furthermore, the narrow windows proposed on both the rear and side elevations would be alien features, which would not respect the proportions of windows found elsewhere on the property. I therefore find that the size and design of the proposed extension would harmfully erode the subservience and functional relationship that the easterly section of the property has to the two-storey part of the property.
15. As a consequence, I find the proposed works would be harmful to the special architectural and historic interest of this Grade II listed building. Drawing the above together, I conclude that the proposal would fail to preserve the special architectural or historic interest of the Grade II listed building Sunnybank Farmhouse, contrary to Section 16(2) of the Act.
16. The appeal property is set back from the road and the increase in height of the southern wall would not be readily apparent from Main Street. The increase in size of the utility room would reflect additions on nearby properties, and the new pitched roof, which would slope away from the road, would not be prominent. Nevertheless, as the listed building contribute to the built backcloth and historic evolution of this small CA, there would be some very small residual harm to the character of the CA as a whole, even if not to its appearance. Conflict therefore also arises with Section 72(1) of the Act.
17. The harm that would arise to the significance of the listed building and CHCA as designated heritage assets would, in the terms of the National Planning Policy Framework (the Framework) be "less than substantial". Paragraph 202 of the Framework advises that this harm should be weighed against the public benefits of the proposal, which includes the securing of optimal viable use of listed buildings.
18. The proposals would involve investment in the fabric and some upgrade of the listed building, including removal of the greenhouse; cleaning of the southern wall, repair of the 18th century window on the north elevation and replacement of the asbestos roof with a more traditional tiled covering. These are all public benefits, however, because of the limited nature of these works, I attribute them only moderate weight in favour of the proposal.
19. The benefits associated with increasing the living and functional space at the appeal property would largely accrue to the appellant. Separating the boiler and associated equipment from the utility room and creating additional accommodation on the first floor would be a personal preference. On the basis

of the evidence before me, the works are not required to secure the building's optimum viable use, which is already a large single-family dwelling. These aspects of the proposals therefore carry no weight as public benefits.

20. The removal of the asbestos from the roof is a public benefit. However, there is a consented scheme to replace this with pan tiles which the appellant could undertake. This demonstrates that the proposal before me is not the only option to achieve this benefit, thereby limiting the weight it carries as a public benefit. I acknowledge that there are other properties nearby with two-storey side extensions, as well as a letter of support for the proposals. However, the statutory duty to preserve listed buildings and conservation areas rests with the decision maker and I have considered the appeal proposal on the specific circumstances in this case. Accordingly, these matters carry little weight in favour of the proposal.
21. On the other hand, the Framework directs that, even when harm to the significance of a heritage asset would be less than substantial, great weight should be given to the asset's conservation. Even cumulatively, the sum of public benefits the proposal would generate would not be sufficient to outweigh the considerable importance and weight I attach to the identified harm to the significance of the designated heritage assets.
22. It follows that the works fail to comply with the heritage protection policies contained within the Framework. Whilst not determinative to a Section 20 appeal, the proposals would fail to accord with the aims of Policies DP28 and DP32 of the Council's Development Plan Document, Development Policies and Policies CP16 and CP17 of the Council's Core Strategy. Amongst other things, these policies seek to conserve historic heritage including man-made assets and that development is of a high quality of design.

Conclusion

23. For the above reasons, and having regard to all other matters before me, I dismiss the appeal.

RC Kirby

INSPECTOR