



Appeal Decision

Site visit made on 7 September 2022

by Paul Martinson BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 30 September 2022

Appeal Ref: APP/C2708/W/22/3296103

Barn, Grange Lane, Kildwick, Keighley BD20 9BZ

- 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 Stuart Hargreaves against the decision of Craven District Council.
 - The application Ref 2021/23310/FUL, dated 16 September 2021, was refused by notice dated 21 February 2022.
 - The development proposed is described as: 'barn conversion to form one dwelling'.
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Decision

1. The appeal is allowed and planning permission is granted for a barn conversion to form one dwelling at Barn, Grange Lane, Kildwick, Keighley BD20 9BZ in accordance with the terms of the application, Ref 2021/23310/FUL, dated 16 September 2021 subject to the conditions set out in the attached schedule.

Main Issue

2. The main issue is whether the location of the proposed development would be acceptable having regard to development plan policies and the effect on the character and appearance of the area.

Reasons

3. The appeal site comprises a single storey building that is accessed from Skipton Road via a rough surfaced track. It includes a hardsurfaced parking and turning area as well as small grassed areas that are enclosed by a post and rail fence. The site is located away from the boundary of any settlement and is surrounded by open countryside in an attractive landscape setting.
4. Policy SP4 of the Craven Local Plan (2019) (the Local Plan) seeks to deliver a sustainable pattern of growth across the district area by directing most growth towards Skipton and larger settlements with more limited growth in smaller settlements. In the countryside, criterion K. of that policy sets out the forms of development that are supported in open countryside locations which include at c) where *'the proposal is for the re-use of one or more redundant or disused buildings and would enhance the immediate setting'*.
5. The proposal would involve the re-use of a building in the countryside. The building consists of concrete block walls, the gables of which are clad with stone whilst the roof is finished with reproduction stone slates. On the site visit I saw that whilst some of the site was overgrown, the building was in a good state of repair. I have not been directed to any matter, other than the appellant's personal circumstances, that would preclude the building from being

used for stabling horses in the future. I am therefore satisfied that the building is not redundant. This is consistent with the Council's reasons for refusal.

6. However, Policy SP4 K. c) also refers to disused buildings. The building was clearly not in use on my site visit. The evidence before me indicates that the stable block has not been used for its original purpose for eight years and whilst there has been a low-level storage use, this has now also ceased. On this basis I am satisfied that the building is disused for the purposes of Policy SP4. I shall therefore turn to whether the development would enhance its immediate setting.
7. The proposal would involve the removal of the existing timber stable building which would reduce the extent of the built development at the site. This reduction in buildings at the site would have a positive effect on the landscape.
8. The stone finish and stone slate roof to the exterior of the building would be retained. In this sense the building is broadly reflective of the character and appearance of traditional buildings in the locality. Furthermore, the cladding of the exposed concrete blockwork with boarded timber would represent a visual improvement that would be reflective of nearby agricultural buildings. No extensions are proposed. As the proposal would predominantly re-use the existing window and door openings, the changes to the exterior of the building would be limited.
9. The building is not prominent from Skipton Road due to being located at a significantly lower level with only the upper parts of the building discernible in views from the access. Given the minimal alterations proposed, it is considered that the proposal would be unlikely to adversely affect these views.
10. The site is visible from a public right of way to the west of the site at a distance of approximately 85 metres. The building is seen against the backdrop of a mature hedgerow and belt of trees to the east which is likely to minimise the prominence of the proposal. The positive effect of the timber stable building being removed would be evident in these views. Furthermore, at this distance the rest of the site is likely to appear relatively unchanged due to the parking and turning area remaining in the same position and minimal alteration to the fabric of the building.
11. The land falls away to the south of the appeal site and the building is likely to be visible as part of the wider landscape. Nevertheless, the building is screened from the east by a belt of trees within a mature hedgerow. Furthermore, due to the minimal alterations proposed, the small scale of the building and constrained nature of the site, I am satisfied that the proposal would not result in significant harm to landscape character.
12. I note that the existing use, as a stable block isolated from any dwelling, would likely generate a daily movement of people to and from the site. Given the scale of the dwelling proposed, its position in the landscape and the presence of an existing road and parking area, I am satisfied that the proposal would not result in the introduction of alien features in this setting. Furthermore, there is no convincing evidence that the change of use of the building to a dwelling would lead to a significant increase in litter in the locality.
13. Having regard to the visual improvements referred to and my above reasoning, the proposal would result in an enhancement of its immediate setting. For the

same reasons I conclude that the proposed conversion would not be harmful to the character or appearance of the area. The proposal would therefore comply with Policy SP4 of the Local Plan, described above. There would also be compliance with Policy ENV3(a) and (c) of the Local Plan which, amongst other things, seek to ensure development proposals provide good design that respects landscape character.

Other Matters

14. I have considered Kildwick Parish Meeting's argument that the grant of planning permission would set a precedent for other similar developments. Given that I have concluded that the proposal would be acceptable and that it would comply with Local Plan Policy SP4 I can see no reason why it would lead to harmful developments on other sites in the area. In this regard, no directly similar sites to which this might apply have been put forward. Each application and appeal must be determined on its individual merits, and a generalised concern of this nature does not justify withholding permission in this case.
15. Although not forming part of the Council's reasons for refusal, the appeal site lies some 160 metres from the boundary of the Kildwick Grange Conservation Area (the CA). It therefore forms part of its wider setting. Section 72(1) of the Act¹ requires decision makers to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area. This is a matter to which I have attached considerable importance and weight
16. The CA is based around a group of houses to the east of the village of Kildwick. Skipton Road forms the southern boundary of the CA. The Kildwick Grange Draft Conservation Appraisal identifies the view southwards from Skipton Road as a highly significant dynamic view. On the basis of the information before me, this setting makes an important contribution to the significance of the CA insofar as it relates to this appeal.
17. Whilst the appeal site lies within the sloping land to the south of Skipton Road forming this wider setting, the appeal proposal would have little effect on this view. This is due to the building being predominantly obscured by the topography as well as the presence of mature trees referred to above. Having regard to the minimal alterations to the building and the constrained nature of the site, as well as the distance from Skipton Road, the proposed development would preserve the setting of the CA and would not adversely affect its significance.

Conditions

18. I have considered the conditions suggested by the Council in its Committee Report in the light of the tests and advice within the Framework and the Planning Practice Guidance (PPG). Conditions are necessary in respect of commencement time and relating the development to the submitted plans. A condition requiring the materials to be used to match those on the submitted plans is unnecessary as it repeats condition 2.
19. The Council's Environmental Health Officer has advised that there is potential for contamination having regard to the former use of the building. Therefore, in the interests of the protection of public health and safety, I have imposed a condition requiring submission of a remediation strategy should any evidence

¹ Planning (Listed Buildings and Conservation Areas) Act 1990.

of contamination be encountered during the development works. This is a proportionate approach to the potential implications of any risks, having had regard to the provisions of the PPG² in that respect. Furthermore, a condition requiring details of drainage is necessary in order to ensure the development is provided with an adequate drainage system in accordance with the drainage hierarchy set out in the PPG³.

20. A condition requiring the parking areas to be retained for such use would ensure that space would remain on the site for parking and turning of vehicles, avoiding vehicles parking along the access road, highway or encroaching into the countryside.

Conclusion

21. For the reasons given above, having considered the development plan as a whole, the approach in the Framework and all other relevant material considerations, I conclude that the appeal should be allowed subject to the conditions below.

Paul Martinson

INSPECTOR

SCHEDULE OF 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: P2108/002, P2108/003, P2108/004a, P2108/005.
- 3) Should any significant contamination be encountered during development, the local planning authority shall be notified in writing immediately. A Remediation Strategy shall be submitted to, and approved in writing by, the local planning authority. The approved remediation measures shall be implemented in accordance with the timescales in the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy, a Validation Report shall be submitted within agreed timescales to, and approved in writing by, the local planning authority. The site shall not be brought into use until such time as all the validation data has been approved in writing by the local planning authority at the agreed timescales.
- 4) Before the use hereby permitted commences, a written scheme for the disposal of foul and surface water drainage shall be submitted to and approved in writing by the local planning authority. No part of the development shall be brought into use until the drainage system has been constructed in accordance with the approved scheme. The approved scheme shall be maintained as such thereafter.
- 5) The parking and turning areas shown on the approved plan P2108/003 shall be retained and maintained for their intended purpose at all times.

² Reference ID: 33-009-20190722.

³ Reference ID: 7-080-20150323.