
Appeal Decision

Site visit made on 10 January 2023

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24 January 2023

Appeal Ref: APP/G2713/D/22/3309442

Wellfield House, Whenby, North Yorkshire YO61 4SF

- 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 Peter Emery against the decision of Hambleton District Council.
 - The application Ref 22/01396/FUL, dated 9 June 2022, was refused by notice dated 30 August 2022.
 - The development proposed is demolition of existing barn and replacement with oak framed outbuilding comprising garage/car port with home office and home gym.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The address in the banner heading above is taken from the planning application form, with the exception of the reference to Whenby to District Boundary which is not part of the property address.

Main Issue

3. The main issue is the effect of the proposed development upon the character and appearance of the area.

Reasons

4. The appeal site relates to a detached dwelling located in large grounds, forming part of a small cluster of residential properties that appear to have once belonged to a historical farm steading. It has a green, bucolic setting due to the encompassing open agricultural land which is evident all around, and contributes positively to the character and appearance of the area.
5. The host dwelling is 2.5 storeys high, arranged in a largely 'L' shaped configuration with attached single storey ranges to the south-east and south-west. Constructed mostly of brick and render, it has a high wall to window ratio of simple proportions under a pantile roof. The host dwelling has been renovated but retains a traditional character reflective of its rural location.
6. An existing timber-clad barn lies in tandem and attached to the existing single storey rear extension. Although it has a shallow pitched roof that is reasonably consistent in height with the adjacent single storey extension, it has a high eaves height which results in an increased scale of building. The barn would be removed and replaced with a larger building reorientated to be perpendicular to

- the single storey extension. Facing towards the host dwelling, it would essentially form a book-end to the built development within the appeal site.
7. I observed during my visit that the existing built form within the vicinity of the appeal site does not follow one rigid pattern of orientation. Rather buildings and extensions are often sited perpendicular to one another. Not only is this true of the host dwelling itself, but I saw that this was the case at Hay Barn next door to the appeal site, Whenby Lodge Farm to the north-west, and the farmsteading on the opposite side of Whenby Lane to the north-east. I therefore consider that the siting of the proposed building would not be harmful to the character and appearance of the area.
 8. The proposed building would have a consistently steep roof pitch and be lower in height than the main 2.5 storey part of the host dwelling. Nonetheless, the proposed outbuilding would be taller and of a significantly greater scale than the adjacent single storey extension. I accept that the proposed footprint would be smaller overall. However, the long principal elevation would be wider than the main 2.5 storey part of the dwelling, and the roof would be taller than the barn to be replaced. I do not therefore agree that the proposed development would result in a net reduction of built development at the appeal site overall. Instead, the size and scale of the replacement building would be significant, competing for attention with, rather than appearing subservient to, the host dwelling.
 9. The scale of the outbuilding would be evident in public views of the appeal site from Whenby Lane. Although set back some distance from the road, this would not significantly mitigate the scale of the proposed outbuilding, particularly given its siting perpendicular to the host dwelling, which would render the scale more obvious. Due to the overall size and form, the proposal would therefore have a greater impact on the openness of the countryside than the existing building, which is effectively tucked back into the appeal site and viewed as an extension of the existing linear range.
 10. I note that the appellant has sought to achieve a more appropriate appearance to the proposed outbuilding than the utilitarian barn it would replace. However, such barns are typical and appropriate forms of buildings within this rural setting. The simple form and high wall to opening ratio, ensures it appears as an appropriately designed and subservient structure both in relation to the simply proportioned host dwelling, and within the rural landscape it sits.
 11. This would not be the case with the proposed outbuilding. Dormer windows within the proposed outbuilding would result in a complicated and fussy roof form that would be wholly inconsistent with the roofscape of the host dwelling and neighbouring buildings. Whilst I accept that the dwelling on the opposite side of the road includes box dormers, this appears to be a more modern dwelling and therefore, an anomaly to the prevailing traditional roof forms that are found amongst the group of former farmstead buildings, none of which include dormer windows. The design of the proposed outbuilding would not therefore respect the balanced form and uncomplicated character of the host dwelling or prevailing local architecture. Instead, the complicated design would draw the eye to a negative degree, further emphasising the impact of the scale of the proposed development on the openness of the countryside.
 12. For the above reasons, whilst I have found that the proposed siting would be appropriate, the scale and design of the proposal would have an adverse effect

on the character and appearance of the area. It would therefore be contrary to Policies E1 and E7 of the Hambleton Local Plan (2022) which seek to ensure development is of a high quality that reinforces local distinctiveness and conserves and enhances features that contribute to the character of the local area. Conflict is also found with paragraph 130 of the National Planning Policy Framework which requires development to be of a high quality design that is sympathetic to local character.

Other Matters

13. I am advised that planning permission has been granted for the removal of the existing barn and construction of a replacement outbuilding to be used for residential purposes (application reference 21/01514/FUL). Full details of this permission including the approved plans are not before me. However, the evidence I do have, indicates that the extant approval is for a single storey outbuilding in the same position as the current barn. It therefore appears that the fallback position is likely to be considerably different and the degree of harm less, than the proposal before me.
14. The appellant is concerned that the Council have considered the proposal as a new dwelling. It seems to me that the Council's reference to the proposed outbuilding being tantamount to a dwelling was in relation to their concerns about the overall size of the outbuilding which I have discussed above, rather than the accommodation to be provided. It is clear to me from the description of the proposal and the proposed layout, that the building is not intended to be used as an independent dwellinghouse. This matter does not affect my findings.
15. Reference is made to the need for a home office and gym within the proposed outbuilding which would further reduce the requirement to travel given the remoteness of the appeal site. There would be clear benefits to the appellant in these respects. However, achieving the prospective working and living space do not appear to be inherently reliant on the scheme before me. An alternative scheme may achieve similar benefits without causing the harm identified.
16. Further advantages are cited by the appellant including moving built development away from the boundary with the neighbouring dwelling at Hay Barn and that the siting of the building would create a sheltered area away from prevailing winds. All new development is expected to be sympathetic to neighbouring land uses and therefore, this matter is neutral in the planning balance weighing neither for, nor against the proposal. The provision of a sheltered area whilst beneficial to the appellant, is not sufficient to outweigh the harm I have identified to the character and appearance of the area, and does not lead me to determine the appeal otherwise than in accordance with the development plan.

Conclusion

17. For the reasons given above, having considered the development plan as a whole, and all other considerations, the appeal is dismissed.

M Clowes

INSPECTOR