



Appeal Decision

Site visit made on 18 April 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20th April 2023

Appeal Ref: APP/V0728/D/23/3318609

High Barnaby Farm, Middlesbrough Road, Guisborough TS14 6RT

- 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 Dane Crawford against the decision of Redcar and Cleveland Borough Council.
 - The application Ref R/2022/0538/FF, dated 19 June 2022, was refused by notice dated 21 December 2022.
 - The development proposed is detached garage with first floor office above and dormer windows to south elevation with external staircase at side.
-

Decision

1. The appeal is allowed and planning permission is granted for detached garage with first floor office above and dormer windows to south elevation with external staircase at side, at High Barnaby Farm, Middlesbrough Road, Guisborough TS14 6RT in accordance with the terms of the application Ref R/2022/0538/FF, dated 19 June 2022, subject to the conditions in the schedule to this Decision.

Preliminary Matters

2. I have used the description of development that is common to both the appeal form and the Council's decision notice as it more accurately describes the proposal and omits superfluous reference to an expired planning permission.

Main Issues

3. The main issues are the effect of the development on i) the character and appearance of the surrounding area; and ii) the living conditions of the occupants of The Cottage with particular regard to privacy.

Reasons

Character and appearance

4. High Barnaby Farm lies within a distinctly rural setting, which is identified in the Redcar and Cleveland Local Plan 2018 (the LP) as a Sensitive Landscape Area and the Historic Landscape of the Eston Hills. I saw that small to medium sized fields, hedgerow field boundaries, wooded hillsides, and scattered farmsteads with buildings of mostly traditional form and materials are important elements that make up the landscape in this area.
5. It is relevant that the existing dwelling has an extant planning permission (ref R/2020/0551/FF) for various extensions and a detached double garage. The result would be a two-storey dwelling of substantial size and includes

numerous dormer windows, while the garage represents an implementable fall-back scheme for the appellant. The adjacent property, The Cottage, is also a substantial two-storey dwelling and has a recently approved one and a half storey detached annexe, also with dormer windows (ref R/2020/0333/FF).

6. The Council considers that the position of the garage within the landscape would be out of character with the site and surroundings, yet it would be in the same position as that which it only recently approved, and apart from the small external staircase at the side, is no larger in its main footprint. Furthermore, this area already contains a concrete apron, indicating the presence of a building at some point in the past, and is closely grouped with the existing complex of buildings. As such, the garage position would be well related to the existing buildings and would not result in any encroachment beyond the existing confines of the property and into the surrounding open countryside.
7. The garage would be approximately 500mm taller than previously approved. However, given the context of the size of the existing and approved buildings, it would remain clearly subservient in terms of its scale and relationship to the main dwelling and in keeping with the bulk and mass of overall built form. Moreover, the difference in height is unlikely to be discernible in more distant views, including those from the surrounding public footpaths.
8. In terms of design, the pitched roof dormers would sit neatly within the southern roof slope and would not be bulky features. They would be in keeping with those which are already present, and as approved on the main dwelling, such that they would not be incongruous. The external materials to be used in the construction of the garage are characteristic to the area, namely natural coursed stone and slate, and would further assist in integrating the garage with its surroundings.
9. Overall, the development would be sympathetic to its surroundings in terms of its position, size, and design. It would not harm important elements of the Sensitive Landscape Area and the Historic Landscape of the Eston Hills. The proposal therefore complies with the relevant landscape protection requirements of LP Policy N1. It also complies with the more general design requirements under criteria j and k of LP Policy SD4.

Living conditions

10. The Council refers to the potential for views into the windows and garden of The Cottage from the rooflights in the northern roof slope and the external staircase to the east side of the garage.
11. However, the rooflights could be fixed shut and obscurely glazed to remove the potential for overlooking, and I note the appellant's agreement to such a condition.
12. The staircase could give rise to some views into The Cottage, but such opportunities are likely to be infrequent, short in duration, and limited only to when an individual descends the stairs. I also saw that such views would mainly be of the car parking area which is already open to view from the access road.
13. Therefore, the development would not materially harm the living conditions of the occupants of The Cottage with particular regard to privacy. As such, it complies with criteria b of LP Policy SD4, which seeks to avoid significant

adverse impacts on the amenities of occupiers of existing nearby land and buildings.

Other Matters

14. I have noted the neighbour's concerns on a range of other matters that have not already been addressed above, including in relation to boundaries, vehicular access arrangements, construction damage, and utilities. However, these appear to be civil matters between the respective parties, and in any event, there is already planning permission for a garage in the same position. Consequently, these matters have little bearing on my assessment of the planning merits of the appeal scheme.

Conditions

15. I have considered the conditions suggested by the Council in light of the National Planning Policy Framework and the Planning Practice Guidance. Where necessary, I have amended the wording and I have only imposed those conditions which meet the relevant tests.
16. The standard commencement and approved plans conditions are imposed for certainty. A condition relating to external building materials is necessary to ensure an appropriate appearance of the development, but I have amended the wording to require samples to be approved owing to the sensitive landscape setting and materials involved. The condition relating to the rooflights is necessary to protect the privacy of neighbouring occupants.
17. However, a condition restricting the use of the home office space to incidental purposes is not necessary as planning permission would likely be required for its use otherwise.

Conclusion

18. The proposal complies with the relevant policies of the development plan, and therefore with the development plan as a whole. Accordingly, and for the reasons given, I conclude that the appeal should be allowed.

A Caines

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: Site location plan; Dwg No.2 Rev A; Dwg No.3 Rev A.
- 3) No above ground construction works shall take place until samples of all external walling and roofing materials have been approved in writing by the local planning authority. The samples shall first be made available on site for inspection by the Local Planning Authority which shall be notified in writing of their availability. The development shall thereafter be constructed in accordance with the approved details.
- 4) The rooflights in the north roof slope of the development hereby permitted shall be fixed shut and obscurely glazed to at least level 3 obscurity and permanently retained as such.

****End of Conditions****