



Appeal Decision

Site visit made on 27 June 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 18 August 2023

Appeal Ref: APP/C2708/W/23/3316997

Town End Barn, Colne Road, Glusburn, Keighley BD20 8PL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mike Smith of Burley Developments Group against the decision of Craven District Council.
 - The application Ref 2022/23773/FUL, dated 15 February 2022, was refused by notice dated 7 September 2022.
 - The development proposed is conversion and reconstruction of two barns as two dwellings, and the construction of three new dwellings with off street parking and associated infrastructure.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The description on the application form is 'conversion and reconstruction of two barns as two dwellings, and the construction of five new dwellings.' However, amendments to the scheme reduced the number of new houses from five to three, and the description was changed. The appellants have stated that there was no formal agreement to amend the description but agree with the change. I have therefore determined the appeal on the basis of the description in the banner heading above.

Background and Main Issues

3. The Council have confirmed in their appeal statement that they no longer wish to defend their reasons for refusal in relation to surface water flooding and the effect on highway safety. However, I have determined that the main issues are:
4. The effect of the proposal on the character and appearance of the barns and the area;
5. Whether the proposal would result in an increase in surface water flooding; and
6. The effect of the proposal on highway safety.

Reasons

Character and appearance

7. The appeal site consists of two stone barns, Barn B, facing Colne Road, which is attached to Barn A to the rear. The buildings are sited in a roughly rectangular area of land between Sunny Bank Road and to the rear of housing along

Beanlands Drive. The barns are in poor condition and are located amongst some other small buildings in an area of overgrown, disturbed land, with a few small sapling trees.

8. To the rear and adjoining the site is an existing meadow, which continues to be farmed. A strip of the meadow, where it abuts the rear of nos. 1-9 Beanlands Drive would be used as an access road to the proposed housing.
9. The current access to the site is from Sunny Bank Road, an unmade road forming the back lane to a row of terraced housing on Institute Street. This would be blocked, with a pedestrian access created.
10. Barn B is attached to No 47 Colne Road, one of a row of four terraced houses. The front elevation has large wooden doors and is constructed of squared, coursed stone. It has a stone tiled roof, which I noted had partially collapsed. The large opening at the front, currently covered by wooden doors, would be retained with vertical glazing. At the rear, a single storey offshoot would be reused, although adjoining buildings and the modern corrugated roof would be removed, separating it from the existing connection that it has to Barn B.
11. Whilst the proposal would not retain the whole of the building, the main body of the structure would remain. I saw that the building was in poor condition, with significant repairs and the stonework collapsing. As there would be no increase in ridge height and the new openings for the proposal to a dwelling would be small and appropriate in style, the conversion would overall retain the inherent qualities and character of the former barn.
12. Barn A is of a rubble build and not of such high-quality stonework as found in Barn B. I saw that the north and west elevations of this building are largely intact, with the east elevation entirely built of concrete blocks, and the southern elevation having been removed. Notwithstanding this, the ventilation slits that survive on the west elevation and the large quoin stones at the corners point to a building, although vernacular in nature, that retains features of its former use and its association with the attached landholding.
13. This building would, however, be demolished and a new building constructed on the same footprint. Whilst it would reuse materials from the building, including the stone, it would have grey timber boarding on significant parts of the external elevations. Whilst this is intended to provide a traditional but contemporary design, there is no substantive justification for the design and materials proposed. Although the building is not listed or within a conservation area, and both buildings have not been used for many years and could have been removed, they do provide an historical context to the site. Furthermore, although it has been suggested that the materials could be conditioned, these are a key part of the design, and the appeal should not be used as the basis of evolving this.
14. Therefore, although Barn A would retain the existing rectangular form, detach the two buildings which were not historically joined together, and the new house would provide good thermal insulation to reduce energy consumption, the proposal would not retain the existing and original character. Additionally, the differing elevation treatment would be odds with the robust nature and character of Barn B.

15. This would therefore harm the overall character and appearance of the barns and the area which provide an important link to the former agricultural use of this site. Consequently, it would not accord with Policy ENV3 as it fails to respect the form of existing and surrounding buildings and would not enhance local distinctiveness.

Surface water flooding

16. The site has been identified as an area at potential risk of surface water flooding. This has been addressed by the use of attenuation tanks. These are shown in the additional report and drainage calculations¹ that has been provided by the appellant. Whilst third parties have expressed concerns regarding flood risk, additional information has now been provided to ensure that the proposal would not result in an increase in surface water flooding. Furthermore, Yorkshire Water, a statutory consultee, had no concerns regarding the proposal, subject to appropriate conditions.
17. Therefore, the proposal would not result in an increase in surface water flooding. It would accord with Policy ENV6 which seeks to minimise the risk of surface water flooding by ensuring adequate provision for foul and surface water disposal, managed at source and not transferred, with every option investigated before discharging surface water into a public sewerage network.

Highway safety

18. The proposal site would be accessed from an existing hammerhead layout at the top of Beanlands Drive. The junction of Beanlands Drive with Colne Road, the A6068, already serves 17 dwellings, as well as Beanlands Nursing Home which is reputed to have a car park of some 25 spaces.
19. Evidence has been provided that the appeal site was previously part of an allocated residential site for 18 dwellings where improvements at the junction of Beanlands Drive were recommended. Additionally, a consultation with a Council highway officer regarding a previous application for the conversion of the barns only² has been provided, which recommended that the two dwellings should be the limit of development using Beanlands Drive. I am, however, unaware of the full details of this scheme and the policies and guidance in place at that time.
20. The National Planning Policy Framework (the Framework) requires applications to be only refused if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
21. Beanlands Drive is on the junction with the A6068. I saw from my visit that there was, at the time I was there, a steady flow of traffic. A third party has stated that there were reputed to be 11,555 vehicle movements per day recorded along this road for the Highway Authority in February 2022. Reference has also been made to the heavy goods vehicles that use this road after leaving the M65 at Colne. Road accident history and Crashmap database suggest in the five-year period there has only been one slight collision, and this was not within 20 metres of the road junction. The site is opposite the primary school, and I noted the road markings for some distance either side of the school entrance to warn drivers and prevent parking outside the school.

¹ Drainage Calculations, 16 February 2023

² Application Ref: 32/2008/8560

22. I drove both into and out of the junction at Beanlands Drive in a westerly direction, which required driving across the carriageway. Whilst I could see, as with any road junction, that care was required, vehicles approaching the junction, at the time that I was driving, were clearly visible. Accessing the road at this point would, however, be dependent on the speed of traffic approaching the junction and I could see that there is a bend in the road to the east of Beanlands Drive.
23. Third parties have commissioned their own assessment³ of the use of the access point between Beanlands Drive and Colne Road and have differing opinions to the Council on the sight lines to the west. Whilst they acknowledge that there have been no recorded accidents, they note that there have been some 'near misses'.
24. However, despite the evidence submitted pointing to the numbers of vehicles that access Beanlands Drive, and that there have been no recorded accidents near the junction, it does suggest that the use of this junction is not resulting in issues of highway safety. Moreover, the proposal is for 5 new dwellings, which would not add considerably to the vehicle movements that already exist. Furthermore, the Council's highway officers have no objection to the proposal.
25. Therefore, the proposal would not have an unacceptable impact on highway safety. It would accord with Policy INF7 of the LP which seeks to create safe, suitable and convenient access to all development sites, and to paragraph 111 of the Framework.

Other Matters

26. A significant number of concerns relate to the parking of vehicles on Beanlands Drive for the drop-off and picking up of children from the primary school opposite the school. This adds to the concerns that neighbours have about the effect of the development on Beanlands Drive. This does appear to be a long-standing issue which is affecting residents accessing their properties. However, this in itself should not prevent the development of the adjoining proposal and does not affect my findings on the rest of the appeal.
27. I have also had regard to the contention that the boundaries of the appeal site would extend into No 9 Beanlands Drive. The appellant has confirmed that this was an error on a plan that has been superseded and the evidence before me suggests that the proposal would not extend into any adjoining properties.
28. Concerns have been expressed about the effect of the proposal on TPO trees on the corner of the hammerhead, and within the rear gardens of nos 1-9 Beanlands Drive, particularly in relation to the construction of the new access road. Suitable mitigation has been provided and the Council are satisfied that the road could be constructed without damage to the trees. I concur with this opinion.
29. In third party comments, many objectors have suggested that as the barns are in poor condition, they should be demolished, and a vehicular access created where Barn B is located. This is, however, not included in the proposal and I have determined the appeal based on the submission before me.

³ Sanderson Associates, May 2023

30. Third parties have queried which highway officer attended the planning committee. However, there is no evidence before me to suggest that the Council's highway advice, following the amendments to the scheme, were not consistent. I have been provided with the committee minutes that are the official record of the committee meeting and can only base my decision on what has been presented to me.
31. Whilst the proposal would provide some social and economic benefits through the provision of new housing and the support of local services, the development plan is up-to-date, and so the benefits of providing housing would not outweigh the harm that I have identified.

Conclusion

32. The proposed development conflicts with the development plan when considered as a whole and the material considerations do not indicate that the application should be determined otherwise than in accordance with the development plan.
33. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR