



Appeal Decision

Site visit made on 28 September 2023

by D Cleary MTCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31st October 2023

Appeal Ref: APP/N2739/W/23/3326733

Stickle Barn, Stewart Lane, Stillingfleet, Selby YO19 6HP

- 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 Greaves against the decision of North Yorkshire Council.
 - The application Ref: 2023/0193/HPA, dated 17 February 2023, was refused by notice dated 12 June 2023.
 - The development proposed is described as a "Erection of a double garage with 'work from home' office over (resubmission of 2021/0558/HPA)"
-

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on;
 - a) the character and appearance of the area; and,
 - b) the setting of Haverland Farmhouse, a Grade II listed building.

Reasons

Character and Appearance

3. The appeal site is located to the east of Stickle Barn. Stickle Barn is a former agricultural building which has been converted and extended to form a dwelling. Site boundaries comprise post and rail fencing and low hedgerows with generally open views across the wider landscape. The dwelling is one of a cluster of buildings associated with a former agricultural farmstead. The group is in an isolated countryside location, accessed via a long track from Stewart Lane. The buildings are closely related to each other and visually well contained, sitting comfortably in the surrounding rural landscape.
4. Policy H12 of the Selby District Local Plan (2005) ("LP") requires extensions to dwellings in rural locations to not result in disproportionate additions to the original dwelling. I have no information with regard to the scale of Stickle Barn when it became a dwelling, or indeed any definition or guidance in policy of what is considered to be a disproportionate addition. Nonetheless, I consider that proportionality can be determined through assessing the visual effects of the development, ensuring extensions and additions are modest and subservient to the existing building. Policy H12 also requires extensions to be appropriate in their setting and not visually intrusive on the landscape.

5. The outbuilding includes accommodation within its roofspace resulting in an added vertical emphasis to the building. The resultant height of the eaves and ridge exacerbates its visual bulk and would not be modest in scale. Therefore, the building would lack the necessary subservience and would be of a scale that would visually compete with Stickle Barn. For this reason, the proposal would be a disproportionate addition to the dwelling.
6. The proposed outbuilding would be sited to the east of the dwelling beyond the existing close-knit cluster. The siting of the proposed building relates poorly to the existing cluster, resulting in the spread of built form into the wider rural landscape. Furthermore, the open boundaries would compound the lack of visual containment. This would have an urbanising effect which would detract from the rural landscape causing harm to the character and appearance of the area.
7. It is understood that the scheme has been reduced in footprint and height from an earlier proposal¹ which was refused, in part, on similar grounds. That proposal was also dismissed on appeal². While the size of the proposed building has been reduced, it remains that its scale and siting would be a disproportionate addition to Stickle Barn and would be visually intrusive in the landscape.
8. I therefore conclude that the proposed development would have a harmful effect on the character and appearance of the area. The proposal would be contrary to Policy H14 and ENV1 of the LP, which require development to be of good quality design, being appropriate in their landscape, and proportionate to the original dwelling.
9. The Council has made reference to Policy SP2(c) of the Selby District Core Strategy Local Plan (2016) ("CS") in its first reason for refusal. Policy SP2 relates to the Spatial Development Strategy, and restricts the forms of development in the countryside. In its officer report the Council acknowledges that there is no conflict with this policy. Policy SP2(c) makes no reference to the effect of development on the character or appearance of a building or area. Therefore, as concluded by the previous Inspector, I also find no conflict with this policy in this regard.

Listed Building

10. To the west of the appeal site, within the cluster of buildings, lies Haverland Farmhouse, which is a Grade II listed building. Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (LBCA Act) requires me to have special regard to the desirability of preserving the listed building, or its setting, or any feature of special architectural or historic interest which it possesses.
11. Haverland Farmhouse is a large detached building adjacent to which are its former outbuildings, including Stickle Barn, which have now been converted to residential use. The Council considers the outbuildings to be curtilage listed and I see no reason to disagree. I consider that the significance of the buildings is derived from their historic agricultural use, architectural detailing. Their close

¹ 2022/0078/HPA

² APP/N2739/W/22/3301739

visual and functional association, set within an open agricultural landscape adds to their group value. The contribution that Stickle Barn has to this significance has not been diminished by its conversion. The undeveloped appeal site and the surrounding agricultural landscape form part of the setting of the listed buildings and this openness contributes positively to the setting of the listed buildings.

12. The existing buildings are well related to each other visually and reflect their historic functional relationship. There are clear built edges to the grouping, particularly to the east. Their close grouping provides a sense of containment in the surrounding landscape. The appeal proposal would bring development beyond the existing built parameters of the grouping. The scale and siting of the building would visually encroach into the wider open landscape, diluting the visual relationship between Stickle Barn and the grouping. The proposals would therefore result in a harmful erosion of the setting of the listed buildings.
13. I have had regard to the outbuildings which were granted consent in 2009³ which have been cited by the appellant. That proposal was for the conversion and extension of an outbuilding, and construction of a further outbuilding. These are sited to the west of the Farmhouse. I note that this decision pre-dated the Framework and also the adoption of the CS, therefore, the policy climate is not the same.
14. These outbuildings have a subservient relationship to the Farmhouse and are visible in the context of the front elevation which provides a clearer visual and functional relationship to that building. The outbuildings are also well contained by the existing mature boundary vegetation to the west of the site which reduces their effect on the wider landscape. In addition, the appeal proposals cumulatively with those outbuildings to the west, would lead to a further spread of development beyond the original grouping. Therefore, for the reasons set out above, I find that the 2009 scheme is not directly comparable with the appeal proposal. In any event, I have assessed the effect of this appeal on its merits.
15. Therefore, the proposed development would have a harmful effect on the setting of the listed building. As such, the proposal is contrary to policies SP18 and SP19 of the CS, and Policy ENV24 of the LP. Together, amongst other things, these require that development be of good design and that regard be had to preserving and enhancing heritage assets.
16. The impact of the proposal would be relatively localised and the harm to the setting of the listed building identified above would be less than substantial. The National Planning Policy Framework (2023) makes clear in paragraph 202 that where a proposed development would lead to less than substantial harm to the significance of a designated heritage asset, then the harm should be weighed against the public benefits of the proposal.
17. In this instance, no public benefits of the scheme have been advanced by the appellant and, therefore, I have no clear and convincing justification that the harm to heritage assets is outweighed by any public benefits of the scheme.

³ Ref 2009/1111/FUL

Conclusion

18. For the above reasons the appeal should be dismissed.

D Cleary

INSPECTOR