

Appeal Decision

Site visit made on 30 October 2023

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 December 2023

Appeal Ref: APP/W9500/W/23/3319675

Rawson Syke, Daleside Road, Farndale East, Kirkbymoorside YO62 7XQ

- 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 R Lucas on behalf of The Farndale Estate against the decision of North York Moors National Park Authority.
- The application Ref NYM/2022/0254, dated 16 June 2022, was refused by notice dated 21 October 2022.
- The development proposed is conversion of outbuilding to domestic accommodation and erection of new double garage.

Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are;
 - whether the outbuilding is capable of conversion without demolition and rebuilding;
 - the effect of the proposal upon the housing mix of the area;
 - the effect of the proposal upon the character and appearance of the area, including the landscape and special qualities of the North York Moors National Park ('the National Park').

Reasons

3. The appeal site is within the North York Moors National Park and sits on the eastern side of Farndale, which is a shallow valley typical of the area. The surrounding landscape is characterised by agricultural pasture and individual farms interspersed with groups of trees.
4. Currently, the appeal site is occupied by a traditional farm grouping comprising a residential dwelling which faces across the valley and outbuildings arranged around a central yard. A range of outbuildings is attached to the dwelling, and I saw on my site visit that these are used for storage and kennelling purposes. Further detached outbuildings are located to the south-west of a yard area. The buildings within the appeal site are of coursed stone construction with pantile roofs and are inward facing in character.

Whether the outbuilding is capable of conversion

5. The evidence before me includes a structural survey¹ prepared by an appropriately qualified person. Although this survey does not take account of

¹ 'Structural Report on Outbuildings to Rawson Syke, Low Mills, Farndale, North Yorkshire YO62 7XQ, MCB/JC/47526 Rpt-001', Alan Wood & Partners, July 2022

the proposal specifically, and acknowledges that no detailed information is available in relation to the foundations of the outbuildings, it nevertheless provides a baseline for the condition of the buildings, and concludes that they are of generally sound condition.

6. The Council has described the outbuildings as being in poor condition. Having viewed the buildings at my site visit, I agree that they would benefit from renovation. Nevertheless, there were no obvious structural defects, and all appeared to be weatherproof, as well as in use. This correlates with the findings of the structural survey. Overall, in principle, the outbuildings appear capable of conversion.
7. However, the proposal before me would involve significant levels of intervention, including raising the eaves height of the building, introducing a new first floor, as well as a new roof structure. These works would go beyond cosmetic renovations and would have the potential to increase loadings on the existing walls, as well as the foundations of the structure, should any exist.
8. It is indicated that an inner-leaf wall could be incorporated in order to provide adequate support. However, there is no other evidence before me in the form of structural calculations or construction methodology, which considers whether such a measure would be effective, or whether the outbuilding is otherwise capable of accommodating the proposal as part of a conversion scheme without the need for substantial rebuilding, such as would be likely to occur if additional work to the foundations of the building were required. Therefore, it has not been demonstrated that the building is capable of conversion without substantial rebuilding.
9. The proposal would therefore be contrary to North York Moors National Park Authority Local Plan ('LP') Policy CO12 which states, amongst other factors, that the conversion of outbuildings will be supported where they are structurally sound and capable of conversion without substantial rebuilding.

Housing mix

10. LP Policy CO17 states that residential extensions should not increase the habitable floorspace of dwellings by more than 30%, unless there are compelling considerations in favour of a larger extension. The supporting text to this policy sets out that large extensions or incremental proposals which extend small dwellings beyond their original size can have a detrimental effect on the mix of dwelling types needed to sustain balanced communities. Whilst this policy makes allowance for other considerations to justify larger extensions, it is clear in its requirement that the 30% threshold be the starting position for any assessment. The supporting text to this policy is also clear in stating the starting point for calculating habitable floorspace should exclude outbuildings.
11. The existing dwelling is currently of a modest scale, and it is not disputed between the parties that it is currently a three-bedroom property, with two reception rooms, kitchen and a utility. The attached outbuildings are clearly associated with the farmhouse and the property as a whole amounts to a relatively large holding. However, the range of outbuildings, although physically attached and providing generous amounts of storage space, are nevertheless separate from, and do not form part of the habitable floorspace of the dwelling itself.

12. I acknowledge that the outbuildings may have historically been used for providing accommodation for workers, however there is no substantive evidence beyond an inconclusive historic photograph to confirm this. Furthermore, it is indicated by the appellant that the outbuildings could be subsumed into the dwelling in their current form, however this has not occurred, nor is it clear that it could, or would occur in the future. I have therefore considered the habitable floorspace of the dwelling on the basis on the situation as it currently exists.
13. On the basis of the appellant's figures, the current dwelling amounts to around 113 square metres (sqm) floorspace. Even taking the additional floorspace to be created at first-floor level in the outbuilding alone, this would amount to an addition of around 73sqm of floorspace, in excess of the 30% limit set out in LP Policy CO17.
14. I am mindful that there is no evidence before me in relation to property prices or affordability levels within the local area. Nevertheless, I consider that the incorporation of the extended outbuildings into the dwelling as functional habitable living space, would lead to a materially different situation to that which currently exists; a modest farmhouse with a number of associated domestic outbuildings would become a much larger house with generous amounts of internal space and an increased number of bedrooms. This would not reflect the need to avoid the loss of smaller properties set out in the supporting text to LP Policy CO17.
15. Furthermore, whilst acknowledging that the proposal forms a hybrid scheme of both conversion and new-build elements, and would represent only a modest increase in the physical size of the house and outbuildings when taken together, it has not been shown that the circumstances are such that there is justification for a significant departure from the 30% threshold set out in LP Policy CO17.
16. On this issue, I conclude that the proposal would have a detrimental effect on the housing mix of the area. It would therefore be contrary to LP Policy CO17, the requirements of which I have set out above.

Character and appearance

17. Paragraph 176 of the National Planning Policy Framework ('the Framework') states that great weight should be given to conserving the landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues. It also states that the conservation of cultural heritage is an important consideration in these areas and should also be given great weight.
18. The appeal site incorporates both a modest farmhouse and associated outbuildings, both attached and detached. The evidence indicates that the buildings existed in the early 20th century, if not before. Although unremarkable in their design and in need of some renovation, these buildings nevertheless have a degree of formality and quality that is evident from the use of squared and course sandstone in their construction. Together, the grouping forms an example of a farm holding characteristic of Farndale and the National Park and it contributes positively to the character and appearance of the area.
19. The proposal would incorporate the attached range of outbuildings into the existing farmhouse and would also result in part of the outbuildings being

increased in height by around 600mm at the eaves in order to provide first floor accommodation.

20. At present the hierarchy of the two-storey farmhouse in comparison to the attached single-storey outbuildings is clear, as is the function of both elements. This is clear even from the road that passes to the rear of the farmhouse as the outbuildings contain very few openings in this elevation.
21. The proposal would change this relationship to an extent. Although the increase in height of the outbuildings would be modest, it would partially erode the hierarchy between the buildings. The addition of a further chimney and an increased number of openings in the rear elevation, as well as further openings in the front elevation of the outbuildings would also result in the functional relationship between the two elements being less clear than at present.
22. However, these effects would be limited, and the hierarchy and relationship between the elements would remain sufficiently clear, with the outbuildings remaining clearly subservient to the farmhouse in appearance. Additional openings in the rear elevation have been minimised and would be of a size and style reflective of the farmhouse. Overall, the proposal would continue to reflect the form and character of the existing farmholding.
23. For the above reasons, and notwithstanding my findings on the first main issue, I conclude on this main issue that the proposal would not harm the character and appearance of the area, or the landscape and special qualities of the National Park. It would therefore be in accordance with LP Strategic Policy C, LP Policy CO12 and LP Policy CO17 insofar as they relate to this main issue. Together, and amongst other matters, these policies require new development to maintain and enhance the distinctive character of the National Park, be of a high-quality design, reflect and complement the architectural character and form of the local vernacular and existing buildings, and be compatible with surrounding buildings in terms of scale, height, massing and form. They also require that extensions are subservient to the main dwelling, and in the case of conversions, that they relate to buildings that make a positive contribution to the landscape and special qualities of the National Park, and do not require significant alteration or extension.
24. The appeal proposal would also accord with Parts 2 and 4 of the North Yorks Moors Local Development Framework Design Guide, which together provide guidance in relation to domestic extensions and the conversion of rural buildings.

Other Matters

25. The proposal would enable the modernising of the existing farmhouse, and would also result in the renovation of the outbuildings. These are benefits of the proposal. However, it has not been shown that these benefits could not be achieved by other, less harmful means. Accordingly, I afford them limited weight in my consideration.
26. The proposal includes the erection of a double garage to the side of an existing outbuilding. The Council has not raised specific concern with regard to this element of the proposal and there is no evidence before me which would lead me to disagree with this conclusion. However, I have considered the proposal as a whole.

Conclusion

27. Although I have found that the proposal would not harm the character and appearance of the area, and landscape and special qualities of the National Park, it would nevertheless conflict with the development plan read as a whole. There are no material considerations, including the Framework, that would indicate a decision other than in accordance with it.

28. For the reasons given above, I conclude that the appeal should be dismissed.

C Harding

INSPECTOR