



Appeal Decisions

Site visit made on 24 January 2024

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16th February 2024

Appeal A Ref: APP/U2750/W/23/3331547

Low House Farm, Timble, Otley, North Yorkshire LS21 2NN

- 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 & Mrs R Aspbury against the decision of North Yorkshire Council.
 - The application Ref ZC23/01966/FUL, dated 24 May 2023, was refused by notice dated 27 July 2023.
 - The development proposed was originally described as 'rear ground floor extension and rear dormer including internal alterations'.
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Appeal B Ref: APP/U2750/Y/23/3331780

Low House Farm, Timble, Otley, North Yorkshire LS21 2NN

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
 - The appeal is made by Mr & Mrs R Aspbury against the decision of North Yorkshire Council.
 - The application Ref ZC23/01967/LB, dated 24 May 2023, was refused by notice dated 27 July 2023.
 - The works proposed were originally described as 'rear ground floor extension and rear dormer including internal alterations'.
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Decision

1. **Appeal A:** The appeal is allowed and planning permission is granted for the rear ground floor extension including internal alterations at Low House Farm, Timble, Otley, North Yorkshire LS21 2NN in accordance with the terms of the application, Ref ZC23/01966/FUL, dated 24 May 2023, subject to the conditions set out in Schedule 1 attached.
2. **Appeal B:** The appeal is allowed and listed building consent is granted for the rear ground floor extension including internal alterations at Low House Farm, Timble, Otley, North Yorkshire LS21 2NN in accordance with the terms of the application, Ref ZC23/01967/LB, dated 24 May 2023 and the plans and information submitted with it, subject to the conditions set out in Schedule 2 attached.

Application for costs

3. Applications for costs were made by Mr & Mrs R Aspbury against North Yorkshire Council. These applications are the subject of a separate Decision.

Preliminary Matters

4. These decisions address both planning and listed building consent appeals for the same site and the same proposal. To reduce repetition and for the avoidance of doubt, I have dealt with both appeals together within a single

decision letter. The description of the proposals in the banner headings above is taken from the application form and decision notice. However, the scheme was amended during the applications process removing the initially proposed rear dormer. I have determined the appeals on this basis, and the description of the proposal in my decisions reflects this.

5. The listed building includes two dwellings known as Snowden View and Low House Farm. However, the official listing specifically excludes the attached barn, which was converted at the time of the listing and forms part of the Low House Farm dwelling. The proposed extension would project off the rear elevation of the converted barn but would be physically attached to the listed building on its side. The roof lights and internal works shown on the proposed drawings would be on the converted barn and not on the listed building.
6. The appellants state that the proposed roof lights are permitted development. However, within the context of an appeal under section 78 of the Act it is not within my remit to formally determine whether or not this is the case. I have therefore considered the proposals based on the plans submitted to and determined by the Council.
7. As the proposals are in a conservation area and relate, in part, to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) in so far as they relate to the different aspects of the scheme.
8. The revised National Planning Policy Framework (December 2023) (the Framework) was published after the appeals were lodged. Both main parties have been given the opportunity to comment on any implications of this during the appeals process.

Main Issues

9. The main issues are whether the proposals would preserve a Grade II listed building or its setting, listed as Snowden View and Low House (now known as Low House Farm), and any features of special architectural or historic interest which it possesses and whether it would preserve or enhance the character or appearance of the Timble Conservation Area.

Reasons

Special interest and significance

10. The listed building dates to the 17th century and is constructed of coursed gritstone with a stone slate roof. Its front façade has a high quality of detailing including from its chamfered mullion windows and door lintels, a drip mould, quoined jambs to the door and quoined stones to the corners. The length of the listed building results in a distinctly linear built form. In so far as it is relevant to these appeals the special interest and significance of the listed building resides in its age, linear form, high quality of its architectural detailing, traditional construction techniques and materials, including the fenestration. These make important contributions to its aesthetic and historical values.
11. There is a clear distinction between the architectural detailing of the front and rear facades of the listed building. This reflects the difference in their status but also the extent of alterations to the rear, including from a cat-slide extension, numerous rooflights, and a stone dormer. Despite the extent of alterations, the

timber windows, robust traditional stone, and slate materials all contribute to a small degree to the special interest/significance of the listed building.

12. The converted barn attached to the listed building is also built from coursed stone, with a stone slate roof and has been altered with a lean-to extension prior to the listing of Low House Farm and Snowden View. They are experienced together from the street, internally, and from the grounds of Low House Farm by the residents of and visitors to the dwelling.
13. The converted barn has several unsympathetic alterations and modern insertions. However, its historical traditional materials and long linear form remain evident. Moreover, its contrasting roof pitch, external stone steps to a first floor door and large ground floor opening all remain distinct from the domestic appearance of the listed building. These contrasting surviving characteristics between the listed building and the barn illustrate the historic functionality of the farm and the lifestyles of the household. In this regard, and in so far as they relate to these appeals, the contrasting roof pitch, linear form, and materials evident from the rear contribute to a small degree to the overall setting, and thus significance of the listed building.
14. The Timble Conservation Area (CA) is a small CA covering the rural village which is set in an elevated position within the undulating landscape of the Nidderdale National Landscape (formerly known as the Nidderdale Area of Outstanding Natural Beauty). The appeal premises is prominent along the lane to the front. However, the rear roof is also partially visible in private views from the rear of the public house and from the footway passing the public house from North Lane. The character and appearance of the CA, in so far as it relates to these appeals, is largely derived from the vernacular buildings, including farmsteads, and the historic relationship with the surrounding farmland.
15. In this regard, the special interest/significance of the listed building and the contribution that the converted barn makes to its setting, contribute positively to the character and appearance of the CA as a whole and thereby to its significance as a designated heritage asset.

Appeal proposal and effects

16. The proposed extension would physically link the cat-slide and lean-to elements on Low House Farm together. The Council's reason for refusal says that the proposed extension would result in the original rear elevation of the listed building being fully concealed. However, the proposal would attach, and conceal the ground floor rear elevation of the converted barn, not the listed building.
17. The proposed extension would result in a continuous run of ground floor extensions along the length of the listed building and the attached converted barn. However, its single-storey nature, modest depth aligning with the cat-slide extension on the listed building, its minimalist design and its use of complementary materials would result in it being an architecturally subordinate and sympathetic addition within the space.
18. There would be additional light spill internally due to the extent of glazing. However, given the proposed extension's position between the extensions either side, and as the rear of the property is surrounded by other buildings

within the village and their associated light spill, the small degree of light spill would not be harmful.

19. The existing rear roof slope of the converted barn contains several rooflights which are focussed toward the eastern end of the barn. Given the long length of the roof slope, the introduction of two 'conservation style' roof lights positioned further away from the cluster of existing roof lights on the converted barn would not result in a cluttered roof slope. Moreover, the associated internal works within the converted barn, and thus not to the listed building, would not be seen externally.
20. The Council are concerned that the introduction of two roof lights would result in a less traditional roofscape. However, there would be no alterations to the front of the host property where the features of greatest architectural and historical interest are found. Moreover, the contrasting roof pitch, linear form, and robust materials of the barn would all remain dominant from the rear garden and glimpsed views within the village. In this regard, the elements of the barn that contribute to the overall setting, and thus significance of the listed building would, in my view, be preserved by the proposals.
21. Overall, the elements which contribute to the listed building's inherent special interest, including its setting, would be preserved and its significance would not be harmed by the proposals. It follows that the positive qualities which define the character and appearance of the CA as a whole would also be preserved and no harm would arise to its significance as a designated heritage asset.
22. Accordingly, I conclude that the proposals would preserve the special architectural and historic interest of the Grade II listed building, known as Snowden View and Low House Farm and its setting and would preserve the character and appearance of the Timble CA. It would therefore satisfy the requirements of sections 16(2), 66(1) and 72(1) of the Act and the provisions within the Framework in so far as they relate to these appeals. These seek, amongst other things, to conserve and enhance the historic environment. It would also be in accordance with Policy HP2 of the Harrogate District Local Plan (2020) which says, amongst other things, that applicants should ensure that proposals affecting a heritage asset, or its setting, protect or enhance those features which contribute to its special architectural or historic interest.

Other Matters

23. As the appeal site is within the Nidderdale National Landscape I am mindful of my duty to have regard to its statutory purpose to conserve and enhance the natural beauty of the area. However, given the location of the proposals at the rear of the property and the modest scale of the proposed extension, the natural beauty of the National Landscape would be unharmed.

Conditions

24. The Council has submitted lists of suggested conditions for both applications were the appeals to be allowed. I have considered these in light of the advice set out in both the Framework and the Planning Practice Guidance. I have adapted the Council's suggested conditions where necessary in the interests of precision and brevity.
25. In addition to the standard time commencement conditions (1), I have specified the approved plans on the planning permission (2) as this provides

certainty. However, it is not necessary for this to be included as a condition on the listed building consent as adherence to the plans, which accompany the application, is part of the formal decision.

26. A condition relating to the details of the materials is necessary on both the planning permission (3) and the listed building consent (2) in the interests of the special interest of the listed building and the character and appearance of the CA. A condition relating to the detailed finish of the rooflights is necessary on the planning permission (4) in the interests of the setting of the listed building and the character and appearance of the CA. However, I have not included a similar condition on the listed building consent as the roof lights would not comprise of works to the listed building.

Conclusion

27. **Appeal A:** The proposed development would not conflict with the development plan and there are no material considerations which indicate that the decision should be made other than in accordance with it. Therefore, for the reasons given and subject to conditions, the appeal is allowed.

28. **Appeal B:** For the reasons given and subject to conditions, Appeal B is allowed.

Mr R Walker

INSPECTOR

Appeal A Ref: APP/U2750/W/23/3331547

Conditions Schedule 1

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Dwg No: 377.01.101 Rev A; 377.01.201 Rev A; 377.01.202; 377.03.101 Rev A; 377.03.201 Rev A; and 377.03.202 Rev A.
- 3) Before the first use of any materials in the external construction of the roof and walls of the rear extension hereby permitted, details/samples of those materials shall have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details/samples.
- 4) The rooflights hereby permitted shall be of the conservation type with a black steel frame and central glazing bar, have recessed installation so that the rooflight sits flush with the roof covering and does not project above this line, be top opening unless a side hung escape rooflight is required and the flashing of the opening shall be carried out in traditional leadwork.

End of Schedule 1

Appeal B Ref: APP/U2750/Y/23/3331780

Conditions Schedule 2

- 1) The works authorised by this consent shall begin not later than 3 years from the date of this consent.
- 2) Before the first use of any materials in the external construction of the roof and walls of the rear extension hereby permitted, details/samples of those materials shall have been submitted to and approved in writing by the local planning authority. Works shall be carried out in accordance with the approved details/samples.

End of Schedule 2