

Appeal Decision

Site visit made on 3 October 2023

by N Kempton BA(Hons) PGDip MA IHBC MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd April 2024

Appeal Ref: APP/G2713/W/23/3317454

Bon Lea Barn, Little Smeaton, North Yorkshire DL6 2HE

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs Brooks against the decision of Hambleton District Council.
 - The application Ref is 22/02668/FUL.
 - The development proposed is conversion of a redundant barn to form 2 No. dwellings.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. Both parties were given the opportunity to comment on the amended National Planning Policy Framework (the Framework), published in December 2023. I have taken into account representations received.
3. The application to which this appeal relates was refused by the former Hambleton District Council, now North Yorkshire Council. The policies of the Hambleton Local Plan 2022 (LP) remain extant and are pertinent to this appeal.

Main Issue

4. The main issue is the effect of the proposed development on the character and appearance of the area, and whether it would enhance its immediate setting.

Reasons

5. The appeal building is a large, steel framed barn, enclosed by breeze block walls with upper sections of timber boarding, under a roof of corrugated, metal sheeting. The barn was used to rear beef cattle. It is now disused. Adjacent is Bon Lea House, a former agricultural building now converted to a dwelling. The appeal site is accessed via a long drive which also serves Bon Lea House. The drive leads to a private road shared by several properties.
6. The main parties agree that the appeal site lies in countryside, beyond development limits. Policy S5 of the LP states that proposals for the conversion of buildings in the countryside will only be supported where they meet six criteria. The Council concluded that the criteria are met other than criterion (i) which states that: a proposal for development should enhance the immediate setting.

7. While the development would reuse a disused building, the changes to the building would be domestic in scale and architectural character. For instance, the new openings in the front and rear elevations, given their number, their spacing, their widths and their proportions, appear diminutively out of scale in the walls of such an expansive building. As such, the imposition of a domestic, suburban vernacular on the building which has prominent agricultural and industrial character would be at odds with the existing architectural language of the existing building and harm the character and appearance of the area.
8. Turning to the rural setting of the building, the proposed development would be an urban style building that would be dominated by domestic type features, such as shallow patios, narrow, slabbed paths turning perfect ninety degree turns through lawned front gardens subdivided by boundary fences. Whilst such features might soften the building, the domestic scale and urban type influences in the proposed layout around the building would jar with its rural setting.
9. Consequently, the clash of architectural languages in the design and the domestic scale and influences in the layout would detract from the setting of the development and harm its immediate setting.
10. Therefore, the proposed development would fail to enhance its immediate setting. Moreover, it would harm the character and appearance of the area. It would be contrary to LP policy S5 which requires conversion proposals here to enhance their immediate setting, and which seeks to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset and contributes to the identity of the district.
11. The proposal would also be contrary to LP policy E1, which requires, amongst other things, that all development to be of high quality, to integrate successfully with its surroundings in terms of form and function, to reinforce local distinctiveness and help to create a strong sense of place.
12. For similar reasons, the Framework indicates that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the development process should achieve.

Other Matters

13. The proposal would not affect the setting of the listed buildings further south at Hornby Grange. Due to the distance between the appeal site and the heritage assets, the location of the appeal building with Bon Lea House to the south, the established boundaries and the modern interventions, these factors serve to delineate the setting of the listed buildings, separate in extent from the appeal site. The setting of the designated heritage assets would be preserved in accordance with the Act.
14. I acknowledge the appeal¹ in Long Newton. However, that appeal relates to a different local planning authority and a different set of circumstances. Based on the limited evidence before me, I have determined that the cases are not similar; I have found harm to the immediate setting and harm to the character and appearance of the area in this proposal.

¹ [Appeal ref APP/H0738/W/17/3187728](#)

15. The appellant has drawn my attention to a previous appeal decision relating to the appeal site². I have noted the changes in this proposal since the dismissed appeal on this site. However, for the reasons given above, these do not overcome the harm I have identified.
16. I acknowledge changes in the appellant's personal circumstances and the reasons leading to the building's redundancy. However, this does not outweigh the harms identified above.

Planning Balance

17. I acknowledge that the proposed development would provide two additional dwellings against the Council's housing land supply. The proposal would also bring some uplift to the local economy from construction services and the patronage of local business and services by future occupiers. Bringing the building back into beneficial use would also secure its long-term maintenance and management. Residential use of the building has the potential to deliver biodiversity net gains compared with the previous use.
18. However, even in combination, all these benefits would not outweigh the harm from the development to the rural character of the area and the distinctiveness of the countryside.

Conclusion

19. I conclude that the proposed development is contrary to the development plan when read as a whole, and there are no material considerations to indicate that a decision should be taken other than in accordance with that plan.
20. The appeal is dismissed.

N Kempton

INSPECTOR

² APP/G2713/W/21/3281854