



Appeal Decision

Site visit made on 24 April 2024

by **J Smith MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 4 July 2024

Appeal Ref: APP/U2750/W/23/3335766

Quarry Farm House, Lime Kiln Lane, Kirk Deighton LS22 4EA

- 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 Steven Tyson of Shaw and Jagger Architects against the decision of North Yorkshire Council.
 - The application Ref is ZC23/01776/FUL.
 - The development proposed is a replacement dwelling.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposal on the rural character and appearance of the area.

Reasons

3. The appeal site is located off Lime Kiln Lane and is within the open countryside on the periphery of Kirk Deighton. The existing building is a modestly proportioned detached bungalow. It occupies a large, low-lying plot bound by extensive hedging. The building is unassuming in its context due to its assimilation into the local surroundings and screening from the wider countryside.
4. The appeal site is in the '*Plompton and South Knaresborough Arable Land*' character area of the Council's Landscape Character Assessment (LCA). This landscape has an undulating landform with scattered blocks of woodland and individual farmsteads. Modest buildings with a rural character and simple design are commonly found within the landscape. These are sited in secluded rural locations adjacent to rolling fields, much like the appeal site and make a positive contribution to the character described in the LCA. The buildings which are located on these sites are simple in their design, are of a low height and are expected in this context.
5. The proposed new dwelling is described as a 'Gentleman's Farmhouse'. It would be a symmetrical Georgian style building, with a detached garage and formal driveway. The proposal would create a grand appearance due to its tall elevations, roof pitch and overall height of the development. This would result in a substantially large and imposing building within the countryside. At this large height and form, the proposal would be a divergence away from the simple and quaint farmstead character found within the surrounding area.

6. An orangery and games room would be sited to the sides of the main building and a garage would be located to the front of the site. Despite its single storey nature, the orangery would be of an overtly large height. The games room would be two storeys in height. Collectively, these side additions and separate garage, whilst subservient to the main part of the dwelling would contribute to the overall massing of the building. The replacement of the modest farmhouse with an overly large and imposing Georgian-style dwelling would be a marked change in character and appearance, out of keeping with the size and style of dwellings that characterise the surrounding rural area. The proposal would therefore be harmful to the local distinctiveness and unacceptably erode the character of the landscape as it would not be of an appropriate scale and would appear alien in this location. This would work against the provisions of the LCA.
7. As such, the proposal would appear incongruous when viewed at various points across the landscape. Whilst concealed from some viewpoints to its side elevations due to the extensive screening offered around the site, the proposal would be more conspicuous during times of year when vegetation was not in leaf and overnight due to artificial illumination and its extensive glazing. Moreover, vegetation is temporary. It should not be relied upon to screen unacceptable development from view. Consequently, landscape screening would not reduce the overall harm I have found.
8. Where my attention has been drawn to buildings which form country estates, these are found sporadically across the existing landscape in neatly arranged and open plots surrounded by landscaped gardens. This is in contrast to the proposed building which would also be located adjacent to a former quarry. The topography of one side of the site forms a harsh landscape which closes in the site. The examples of country estates also vary in their circumstances but are generally located around small and limited settlements where they have a relationship with neighbouring uses, such as agricultural buildings or smaller dwellings. These examples are authentic to their period, having a scale and presence consistent with the landscape character. Moreover, the Georgian style is not locally distinctive to this countryside area and as such, the proposal is notably different to these circumstances and would not be in keeping with the local vernacular.
9. Therefore, I conclude that the proposal would harm the rural character and appearance of the area. It would conflict with Policies HS7, HP3 and NE4 of the Harrogate District Local Plan 2020. These policies require, amongst other things, that proposals are to be of a design which in terms of scale, mass and architectural detail is sympathetic to the landscape character and local vernacular, amongst other things. It would also conflict with the National Planning Policy Framework, which seeks to achieve good design where it reflects local character.

Other Matters

10. The appellant has demonstrated that several extensions could be constructed and benefit from extant permissions. These include rear and side extensions and extensions to the roofscape. There is no dispute between the parties that ground works are underway and therefore, there is a greater than theoretical possibility that this fallback could be undertaken. As such, these permissions present a fallback position which must be considered.

11. The proposal would be smaller in its overall footprint with a lower roof height than the components which could be constructed under the fallback position. As such, the proposed dwelling would not be materially larger than the existing dwelling and extant permissions. However, the proposed development and the fallback position are significantly different in their design. The extensions which could be constructed would be incremental and diminutive in their mass due to their low height elevations, longer and gentle sloping roofscapes and their single storey forms. The development which would be constructed under the fallback position would still appear as a traditional rural building which has been extended overtime to follow its existing character in this locality.
12. In contrast, the appeal proposal would create a large single point mass with tall elevations which would be large and imposing on the appeal site due to its scale and design. It would appear alien in this area of rural character for the reasons described above. It would therefore be more harmful than the fallback position and as such this does not weigh in favour of the appeal scheme.
13. The appeal decision before me (APP/E2734/W/23/3325978) is not directly comparable due to the scheme differences and contrasting surroundings. Therefore, this development elsewhere in the borough does not provide weight in favour of the proposal.

Conclusion

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

J Smith

INSPECTOR