



Appeal Decision

Site visit made on 31 October 2024

by S. Hartley BA (Hons) Dist.TP(Manc) DMS MRTPI MRICS

an Inspector appointed by the Secretary of State

Decision date: 26 November 2024.

Appeal Ref: APP/U2750/D/24/3350883

Bradbury House, Moor Park, Beckwithshaw, Harrogate HG3 1QN

- 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 Mrs D Manton against the decision of North Yorkshire Council.
 - The application reference is ZC24/01089/FUL.
 - The development proposed is the erection of a detached, single storey storage building to serve Bradbury House, Beckwithshaw.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. On 30 July 2024 the Government began consultations upon reforms to the National Planning Policy Framework 2023 (the Framework) which closed on 24 September 2024. The reforms are draft and may be subject to change and therefore I afford the draft changes only limited weight in the decision-making process. As there are no proposed reforms which are pertinent to the main issues in this appeal, it has not been necessary for me to consult the main parties upon it.

Main Issue

3. The main issue is the effect of the development upon the character and appearance of the existing dwelling and area.

Reasons

4. The appeal property is located within the Moor Park Estate which includes four dwellings constructed around the original listed country house which is now divided into apartments. The dwellings, including the appeal property, are detached properties in spacious grounds.
5. Approval for the extension to the curtilage of the appeal property was granted in November 2023¹ to include land to the west and upon which the proposed outbuilding would be constructed. The planning approval includes a condition

¹ ZC24/01089/FUL

removing rights under the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting that Order with or without modification, with regard to fences, gates, walls or outbuildings, without the specific planning permission of the local planning authority (LPA). The reason given for the condition is '*in the interests of visual amenity*', and which reflects the main issue.

6. The proposed development is for a detached storage building measuring approximately 16.7 metres by 8.5 metres and with a height to the eaves of about 4 metres and to the ridge of approximately 6.1 metres. The LPA considers that this compares to the host property where its east-west element has an area measuring 18.3 metres by 7.6 metres and where the dwelling has a ridge height of 7.7 metres. The appellant considers that there is a difference of 2 metres between the ridge heights of the proposed outbuilding and that of the host property and that there would be a distance between them of approximately 17 metres.
7. I do not consider the differences between the parties in this regard to be significant in the decision making process.
8. The proposed outbuilding would be sited with woodland on two of its sides. Nevertheless, it would still have a visual and operational relationship with the main dwelling and would be located within its curtilage. For these reasons, I consider that for planning purposes it can be considered to be an extension to the host property.
9. The LPA's House Extensions and Garages Design Guide Supplementary Planning Document 2005 (SPD) states that with regard to outbuildings these '*must be smaller in scale and clearly ancillary to the house*'.
10. Even though the proposed building might be slightly smaller in scale than the host property, I consider that, by its overall mass and height, it cannot reasonably be described as being subservient to the host property.
11. Moreover, the SPD requires that the proposed development respects the style and character of the host property, and while it reflects some of the external materials of the latter, its overall appearance is that of an agricultural building, quite different from the main dwelling, even though the latter, by its overall design and the use of modern materials, can be said to derive to some extent from the characteristics of such rural buildings.
12. On my site visit, I was able to see that the woodland forms an effective linear visual limit to the built form of the adjoining dwellings, including the host property. While the proposed outbuilding would be sited within a gap within this linear belt of woodland, it would nevertheless represent an adverse visual intrusion beyond the existing built form and into this visual limit formed by the woodland.
13. For the above reasons, I consider that the proposed development would not assimilate well with the existing character and appearance of the host property and that of the area, and would not accord with Policy HP3 of the Harrogate District Local Plan 2020, with the SPD, or with chapter 12 of the Framework, all

of which require development to be respectful of the character and appearance of the area and buildings within which it is situated.

Other Matters

14. I have taken account of the other examples of similar buildings to which the appellant has referred. However, I have no knowledge of the circumstances which led to them being constructed, though the appellant acknowledges that the building closest to the appeal property is a farm building as distinct to an outbuilding within a more residential setting. In any event, I have determined the appeal based upon its individual planning merits.
15. The appellant has referred to a previous agricultural building on the land and which was used as a shooting lodge. However, this no longer exists. Therefore, I afford this matter only minimal weight in the decision-making process.
16. I attach limited weight to the fact that the construction of the building would enable the housing of coloured motor homes undercover, and where the latter might be otherwise more conspicuous and disruptive in visual terms. However, I consider that the proposed building, by its height and mass, would have a greater and adverse visual effect. In addition, I cannot be certain that the presence of the motorhomes on the site would be as permanent as would be the proposed building.
17. I accept that there are no objections from neighbours. However, this does not alter or outweigh my identified concerns.
18. Both parties agree that the proposed development would have no adverse effect upon the setting of listed buildings because of its distance from them. These include the Grade II buildings known as the Barn, Byre and Pigeoncote range, Moor Park stables and the property called Moor Park. I have no reason to disagree with these findings. However, they are of neutral consequence in the overall planning balance.

Conclusion

19. There are no material planning considerations that indicate the application should be determined other than in accordance with the development plan and therefore, the appeal should be dismissed.

S. Hartley

INSPECTOR