



Appeal Decision

Site visit made on 7 January 2025

by **M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 16 January 2025

Appeal Ref: APP/U2750/W/24/3349419

Knabbs Farm, Annexe 4, Skipton Road, Kettleasing, North Yorkshire HG3 2LT

- 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 Karl Hanover against the decision of North Yorkshire Council.
 - The application Ref is ZC24/01495/FUL.
 - The development proposed is described as 'proposed new second storey on existing southern single storey annex.'
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Decision

1. The appeal is dismissed.

Procedural Matters

2. In November 2023, all designated Areas of Outstanding Natural Beauty (AONB's) in England and Wales became 'National Landscapes.' However, the legal designation and policy status remain the same. I have referred to the Nidderdale National Landscape (NNL) throughout my decision.
3. In December 2024, the Government published a revised National Planning Policy Framework (the Framework). Although some sections and paragraph numbers have changed, the revisions do not relate to anything that is fundamental to the main issues in this appeal. The parties would not therefore be prejudiced by reference to the revised Framework.

Main Issues

4. The main issues in this appeal are i) whether the proposal would be acceptable in principle, with regard to the proposed level of accommodation being appropriate for an annex and whether it would result in a separate unit capable of independent occupation, and ii) the effect of the proposed development on the character and appearance of the area, including the NNL.

Reasons

Principle of Proposal

5. The appeal site comprises a former single storey farm store that has been converted to living accommodation¹, said to form one of 4 'annexes' to the main farmhouse of Knabbs Farm. The circumstances of the annex have not been clearly explained by either party and the details of the 2011 planning permission have not been presented. Nevertheless, the appellant advises that the appeal building has

¹ Planning application reference number 11/02162/FUL.

been occupied as a disabled annex since 2012² and the occupant is a close relative³.

6. In determining this appeal the Public Sector Equality Duty, contained in Section 149 of the Equality Act 2010, requires me to consider the need to eliminate unlawful discrimination, to advance equality of opportunity and foster good relations between people who share a protected characteristic such as a disability, and people who do not share it.
7. The Council's House Extensions and Garages Design Guide (HEGDG) advises amongst other things, that an annex should have only one bedroom. The Council does however advise, that more than one bedroom may be acceptable. It cites the creation of an annex through the conversion of an existing building as an example⁴. The HEGDG goes on to suggest an annex must remain ancillary to the main house at all times, and this may require a legal agreement to prevent the annex being let or sold separately.
8. The appeal building has no physical internal link with either the attached eastern annex or the main farmhouse. The access drive is shared but there is dedicated car parking for the annex, along with a separate name plate and post box. It is not clear whether utilities are shared. Spacious accommodation is provided including 3 bedrooms. The annex therefore already exceeds the HEGDG guideline but it appears to have been formed from the conversion of an existing building⁵.
9. Whilst I acknowledge that the proposal would create just one additional bedroom, it would be through the erection of an extension, not through the conversion of an existing building. The level of accommodation would increase significantly, with all of the bedrooms moved to the first-floor level creating a very generous open plan living area on the ground floor. Whilst 4 bedrooms would not necessarily preclude the building from being considered as an annex, it would be an unusual situation and would require demonstration of a clear functional relationship with the main dwelling.
10. I understand the need for suitable accommodation for a disabled person and that having family support will be important. However, it has not been explained why the existing building is considered to be a 'disabled annex' as cited by the appellant. There are no obvious adaptations to the building such as level access, hoists, grab rails etc, nor was there evidence of any specialist medical equipment in situ. Moreover, at the time of my visit half of the main bedroom was given over to a beauty treatment area⁶. It is not therefore apparent that the existing annex provides specialist accommodation to meet the needs of a disabled person. Even if I accept that to be the case, there is nothing in the written evidence to explain what the particular needs of the disabled occupant are now or in the future, including any need for care.
11. Details of the specific relationship between the appellant and the occupier of the annex have not been supplied. Nor is there any suggestion that the appellant provides care for their relative, or that there would be frequent comings and goings between the farmhouse and the annex as a result. Instead, the evidence indicates that the disabled occupant has partnered a live-in carer who has 3 children and

² Biodiversity section of the appellant's design and access statement.

³ Paragraph 141 of the appellant's statement of case.

⁴ Page 3 of the Council's officer report.

⁵ As described in the planning history section of the Council's officer report.

⁶ A treatment bed, promotional material and nail varnish presentation stand amongst other things, were observed.

that they wish to live together at the annex⁷. The site visit did not reveal any obvious occupation of the annex by children such that the presence of the live-in carer currently, is not clear.

12. The large size of the proposed annex, its physical separation from the farmhouse and the lack of evidence to demonstrate a dependant relationship between the appellant and the annex occupant, indicates that the proposal would go beyond what could be reasonably described as ancillary, i.e. ordinary living accommodation that is an integral part of the occupation of the farmhouse. Other than a familial connection, there would be no physical or functional link between the occupation of the annex and the farmhouse. Self-contained living accommodation with all of the facilities necessary for independent living would be created and it would be occupied as an independent dwelling.
13. I note the appellant's willingness to enter into a legal agreement to prevent the annex from being let or sold independently. Even if I could accept that the level of accommodation is appropriate for an annex or justified by personal circumstances, there is no planning obligation before me to consider.
14. I find that despite the description of development, the proposal would result in a self-contained and separate residential unit that would be occupied independently from the farmhouse. For these reasons, the proposal would be contrary to the Policy H8 of the Harrogate District Local Plan (HDLP) 2020 and the guidance contained in the HEGDG as set out above.

Character and Appearance

15. The annex is a large single storey stone building, attached but located perpendicular to Knabbs Farm, a former traditional linear farmhouse and attached barn, now converted to living accommodation. The Harrogate Borough Council Farm Buildings Design Guide (FBDG) 2020, advises that traditional farmsteads and buildings make a significant contribution to landscape character and local distinctiveness.
16. Within the NNL designation, there is a national policy expectation to give great weight to conserving and enhancing its natural beauty, as well as the conservation and enhancement of wildlife and cultural heritage being important considerations⁸. I have determined the appeal with these responsibilities in mind.
17. The 2-storey farmhouse range including the converted barn, step down in height from the south-west to the north-east. This stepping down continues with a much lower eaves and ridge height to the eastern annex which connects the farmhouse with the single storey appeal building. There is a clearly readable hierarchy to the group with the subservient scale of the annex emphasising the importance of the farmhouse and the wide-open pastoral landscape in which it sits.
18. The appellant advises that the appeal site lies within the Landscape Character Area 22; Menwith and Penny Pot Grassland. The relevant extract from the LCA advises that the landform is large-scale and generally flat, such that the landscape remains open with extensive views that is sensitive to change. Scattered farmsteads are a mixture of old, traditional farmhouses and new modern farm buildings. They form part of the cultural heritage of the area providing a physical record of building styles and farming practices.

⁷ Rationale section of the appellant's design and access statement.

⁸ Paragraph 189 of the National Planning Policy Framework.

19. The proposal seeks to add an additional storey to the existing building. Although the overall height of the roof would be lower than the farmhouse, the eaves would be higher than both the converted barn and the eastern annex. Significant bulk would be added elevating the scale and prominence of the annex such that it would compete visually and disrupt the decreasing hierarchy of the farmhouse range⁹.
20. The shallow pitch of the proposed roof would create a building of a squat appearance, in contrast to the traditional proportions of the farmhouse range and nearby outbuildings where gables are generally solid¹⁰. With the proposed first floor windows pushed close to the side elevations, an atypical and poor window to wall ratio would be created in the front gable, in particular. The resultant appearance would be neither that of a traditional barn nor a modern agricultural building, but an odd hybrid of the two.
21. No compelling evidence has been presented to demonstrate that a bookend is required to the existing courtyard. Even if I could accept the principle of this, the form, scale and detailed design of the proposal would not be reflective of the wider building group. An awkward, discordant relationship would be created between the appeal site, the eastern annex and the farmhouse. This harm would not be mitigated by the use of traditional materials and the proposal would thus fail to enhance the courtyard as a visual entity.
22. I acknowledge that the orientation of the eastern annex does not follow the existing linear alignment of the building group. Nonetheless, the gabled roof is of a relatively limited height and scale such that it does not appear unresolved or looming, sufficient to justify the scale and form of the proposed extension.
23. Notwithstanding the appellant's 3D images, the parties agree that the appeal site is visible from Skipton Road¹¹. I observed that even on a wintery day with extensive snow cover that the building, predominantly its roof, is visible from Skipton Road. This is particularly the case in views east of the access drive where there is limited tree planting. In such views the building sits quietly amongst the building group. The increase in scale and bulk arising from the proposed extension would amplify the conspicuousness of an incongruous form of development in public views, particularly when nearby trees are not in leaf. Even if I could accept that existing landscaping provided screening of the proposed development, it would not mitigate design which fails to conserve or enhance the qualities of a traditional farmstead that contributes to the character of the NNL.
24. For the reasons given, the proposed development would result in harm to the character and appearance of the area, including the NNL. The proposed development would therefore be contrary to policies GS6, HP3 and HS8 of the Harrogate District Local Plan (HDLP) 2020. Amongst other things, these policies seek in combination to ensure that new development protects, enhances or reinforces the characteristics, qualities and features that contribute to the local distinctiveness of the district's rural environment, and do not detract from the special qualities of the NNL. Conflict is also found with the aims of the Framework in respect of conserving and enhancing the natural environment.

⁹ As shown in 3D drawings 'view proposed 5 and 6 and view proposed treeless 5A and 6A.'

¹⁰ As shown in 3D drawings 'view proposed 6 and view proposed treeless 6A.'

¹¹ Paragraph 108 of the appellant's appeal statement and page 3 of the Council's officer report.

Other Matters

25. The proposed development would improve the energy credentials of the existing building through the adoption of Passivhaus draughtproofing principles, passive solar gain and ground-source heat pump technology. This is to be commended. However, it is likely that the energy performance of the building could be improved by alternative means without generating the harm identified. This attracts limited weight.
26. The lack of objections relating to the living conditions of existing or future occupiers and the provision of car parking and garden are neutral matters weighing neither for, nor against, the proposal. Concerns regarding the Council's handling of the application are a matter for the parties.

Planning Balance and Conclusion

27. I have found that the proposal would result in a self-contained and separate residential unit capable of sustaining independent living, that would further harm the character and appearance of the area including the NNL. This would not be outweighed by the limited weight attached to the environmental benefits of the scheme. Having carefully considered the evidence before me, in light of the requirements of the PSED, a dismissal of the appeal would be proportionate to the well-established principles of protecting the countryside.
28. There are no considerations that lead me to determine the proposal otherwise than in accordance with the development plan. Accordingly, the appeal should be dismissed.

M Clowes

INSPECTOR