



Appeal Decision

Site visit made on 19 December 2024

by **T Burnham BA (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 31 January 2025

Appeal Ref: APP/C9499/W/24/3351401

Stone barn west of Scar House Force, Muker, Richmond, North Yorkshire DL11 6DW

- 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 Paul & Gillian Haworth against the decision of Yorkshire Dales National Park Authority.
 - The application Ref R/06/151C dated 12 January 2024 was refused by notice dated 6 March 2024.
 - The development proposed is conversion of a traditional stone barn to a camping barn.
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Decision

1. The appeal is allowed and planning permission is granted for conversion of a traditional stone barn to a camping barn at Stone barn west of Scar House Force, Muker, Richmond DL11 6DW in accordance with the terms of the application, Ref R/06/151C and the plans submitted with it, subject to the conditions in the attached schedule.

Main Issue

2. The main issue is the effect of the proposal on the character and appearance of the Swaledale and Arkengarthdale Barns and Walls Conservation Area (the Conservation Area).

Reasons

3. The Barn is located within a prominent and publicly visible position within an elevated setting in attractive dales countryside a short distance from Muker and Thwaite.
4. This part of the Conservation Area comprises largely of sloping pastoral fields separated by dry stone walls with interspersed buildings, including field barns which are generally of stone construction.
5. The form, scale, materials and detailing of the field barns along with their links to historic agricultural practises are one of the defining features of the character and appearance of the conservation area. Despite the inclusion of a corrugated roof, the barn which is the subject of this appeal incorporates traditional openings and stone walling and contributes positively to the significance and therefore the character and appearance of the Conservation Area.

6. Some alterations to the building are proposed and these would include the provision of a chimney flue and the insertion of glazing into existing openings. The chimney flue would however be a very minor feature, whilst the reflectivity of the glazing could be limited through the imposition of a condition which could control the type of glazing to be used.
7. There would also be some alterations to the roof slope, although those works would include the provision of a stone slate roof which would be a more locally appropriate material than that existing. Further, the Conservation Area Appraisal¹ indicates that several field barns have had their eaves raised and their roof pitches altered at some stage whilst the Heritage Appraisal² indicates that the upper part of the building could have been an addition or rebuilt.
8. The field barns within the area are therefore unlikely to be identical in appearance. Given that no formal curtilage area is to be provided, any intrusion into the open field by users of the barn is likely to be extremely limited and temporal in nature, given the proposed time restrictions on stays.
9. The proposal offers the potential for beneficial use of the barn, the use of which is likely to have become more impractical with the evolution of agricultural practises and in that sense the proposal offers the potential to assist in the retention and upkeep of the building. There would therefore be no harm to the significance of the Conservation Area. Its character and appearance would be preserved.
10. It is therefore the case that the proposal would further the purposes of the National Park which include conserving and enhancing natural beauty and cultural heritage and promoting opportunities for the understanding and enjoyment of the Special Qualities of the National Park by the public.
11. The proposal would accord with Policy SP2 of the Yorkshire Dales National Park Local Plan (2016) (LP). There would further be no conflict with Policy SP4 which amongst other things requires that development at a minimum conserve the architectural and historical character and appearance of the site and its setting and Policy L1 which amongst other things requires that development proposals affecting a designated heritage asset will be permitted provided they conserve or enhance its significance.
12. The proposal appears to be the type of low intensity conversion that is supported under policies L2 and L3 of the LP given the restraint of the proposal and the limited alterations proposed. There is no conflict with these policies.

Other Matters

13. With regard to the tranquillity of the area, I am mindful that in relation to neighbour amenity, the evidence indicates that the site is separated from residential dwellings which combined with the nature of the proposal means it is not considered that the residential amenity of occupants of the nearest houses would be harmed.
14. No detailed case is made around concerns in relation to tranquillity. Given the restrained nature of the proposal which could not accommodate a significant number of guests, remote nature of the site, the presence of a management plan and provision of a named contact of a local farmer with a yard and buildings close

¹ P35 Swaledale & Arkengarthdale Barns & Walls Conservation Area Appraisal - Yorkshire Dales National Park Authority – 2015.

² Heritage Appraisal – Field Barn south west of Scarr House, Muker – Stephen Haigh Buildings Archaeologist – August 2021.

to the site who could provide some monitoring of the site, I do not identify conflict with policies SP2 or SP4 in this regard.

15. The Council indicate that a Unilateral Undertaking is recommended requiring the appellant to agree to the restriction of any overhead power lines. No such undertaking is before me. However, the evidence indicates that no power is proposed as there would be no electricity connected to the barn and insufficient justification is provided for such a requirement.
16. There is nothing within the evidence which compels me to believe there is no demand for this type of tourist offering within upper Swaledale. There are some limited services and facilities within the area and for some, the site would be accessible without motorised transport. The gradient and ground conditions of the site would likely limit the potential for visitors to drive a motor vehicle up to the building and this would be prohibited by the intended management of the barn in any event.
17. There is nothing that leads me to believe that biodiversity interests have not been fully considered and a condition is included for the provision of bat and bird boxes. No details have been provided in relation to the conversion of a similar barn and I afford this matter limited weight. There is nothing to indicate that the proposal would have any adverse impact upon the Thwaite Conservation Area.

Conditions

18. Conditions 1, 2, 4 and 5 are necessary to define the development. Conditions 3 and 11 are necessary in the interests of biodiversity. Condition 6 is necessary in the interests of the health of future guests. Conditions 7, 8, 9, 10, 12 and 13 are necessary in the interests of the character and appearance of the area.

Planning Balance and Conclusion

19. The proposal would accord with the development plan and there is nothing that indicates a decision should be made otherwise than in accordance with it. The appeal should therefore be allowed.

T Burnham

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall be begun not later than the expiration of three years from the date of this permission.
- 2) The development hereby permitted shall be carried out in accordance with the plans hereby approved: Site Location Plan, Existing Block/Site Plan, Proposed Block/Site

Plan, Existing Elevations, Proposed Elevations, Existing and Proposed Floor Plans, Existing and Proposed Roof Plan & Proposed Compost Bin.

3) Prior to first use of the building as a camping barn, a minimum of two bird boxes shall have been installed on the building along with two Greenwood Eco Habitat crevice bat boxes (or equivalent manufacturer). The bird and bat boxes shall be retained thereafter.

4) The building shall be used for short stay holiday accommodation as a camping barn only, as detailed in the application, and no individual person or persons shall occupy the premises exclusively or use the facilities provided for more than 3 consecutive nights or for more than 28 days in any twelve-month period. The building shall not be used or occupied as a dwellinghouse.

5) The development shall at all times be managed in full accordance with the Visitor Management Plan, received 15 January 2024, and there shall be no barbecues in the external vicinity of the barn.

6) If contamination is found or suspected at any time during development that was not previously identified, all works shall cease and the Local Planning Authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land Contamination: Risk Management (LCRM), has been submitted to and approved in writing by the Local Planning Authority. Where remediation is necessary a scheme for the remediation of any contamination shall be submitted and approved by the Local Planning Authority before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the Local Planning Authority.

7) No part of the building shall be demolished and/or rebuilt, except as indicated on the approved details including the method statement and structural appraisal both received 15 January 2024. Those areas identified for rebuilding shall be built up reusing the existing stone and shall be laid and pointed to match in type, style, colour and mortar mix, the external walls of the existing building. Any additional materials required shall be reclaimed natural stone of the same kind, dimensions and colour as those on the existing building at the date of this notice.

8) The external masonry shall not be sand or shot blasted, pressure cleaned or otherwise treated to remove, cover, paint or render the surface layer of the masonry such that the surface of the masonry retains its weathered appearance existing prior to works to convert the building.

9) The re-roofing hereby permitted shall be carried out with 'Natural Weathered' Greys Artstone, unless an alternative material has firstly been approved in writing by the Local Planning Authority.

10) The development shall be carried out in accordance with the following details and retained as such thereafter: Window frames shall be made of timber, painted dark grey and recessed by a minimum of 150mm from the external face of the wall in which they are set, Window panes shall be anti-reflective, The stove flue to be painted matt black, Any replacement or additional rainwater goods shall be coloured black and fixed directly to the masonry of the building using rise and fall brackets.

11) Work shall proceed only in accordance with the Method Statement and Reasonable Avoidance Measures outlined within the Bat Survey Report and Method Statement European Protected Species (Bats) Reasonable Avoidance and Mitigation Measures by Dave Anderson, Batworker, 2022.

12) Notwithstanding the provisions of Classes A, B, C, D, E and F of Part 2 and Classes J, K, L and M of Part 14 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking or re-enacting that Order, no development of the description in these classes including any means of enclosure, means of access, painting, electrical charging points or security cameras or the installation, alteration or replacement of solar PV, solar thermal equipment, ground source heat pump, water source heat pump shall be carried out on this site, except in accordance with a planning permission granted by the Local Planning Authority.

13) Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) (England) Order 2015, or any Order revoking and re-enacting that Order, or the details submitted with the application, no consent is hereby granted for installation of external lighting. Prior to the installation of any external lighting, a lighting scheme containing the following details shall first be submitted to and approved in writing by the Local Planning Authority: - manufacturers details - level of luminosity - position and height of lighting on the building/lighting column - method of down lighting. The development shall be carried out in accordance with the approved details and shall be retained as such thereafter.