



Appeal Decision

Site visit made on 3 December 2024 by J Reed MPlan

Decision by John Morrison BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28th February 2025

Appeal Ref: APP/U2750/W/24/3349931

Outbuilding, 11 Newby Road, Farnhill, Keighley BD20 9AT

- 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 Kestrel Homes against the decision of North Yorkshire Council.
 - The application Ref is ZA23/25521/FUL.
 - The development proposed is alterations and change of use to existing outbuilding to create residential dwelling.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Preliminary Matters

3. I have made this recommendation without seeking views on the revised National Planning Policy Framework (the Framework) since the changes have neither materially affected the substance of the main issues or the fundamental aspects of the main parties' cases thereon.

Main Issues

4. The main issues are whether the proposal would a) preserve or enhance the character or appearance of the Farnhill Conservation Area; and b) provide suitable living conditions for future occupiers with specific regard to internal and private garden space.

Reasons for the Recommendation

The Farnhill Conservation Area (FCA)

5. Low Farnhill is characterised by a series of streets that hug the Leeds and Liverpool Canal. The wider locality is something of an enclave of clustered built form in a wider rural area. The appeal building is a detached, modest and thus subservient stone outbuilding sat at the back edge of the very steeply sloped Back Mary Street which runs off Newby Road. It appears as being separate from any curtilage but is in amongst other stone and part rendered terraced two storey dwellings. The houses are structured and arranged in street frontage blocks. There is distinct uniformity to their materials, opening detailing, scale and siting. The building itself, along with its unconventional

shape and cart type entrance to the street, lends a pleasant traditionality to the street scene which, along with the consistency of the above elements, contributes positively to the architectural and historical significance of the FCA.

6. Raising the building's roof height would increase its prominence and unacceptably depart from its demure and unassuming form and recessive presence in the street. It would create a primary use which would jar with the area's distinctive structure and detrimentally affect its consistency. Whilst replacement openings could use suitable materials, the loss of the cart type entrance to the road frontage particularly would unacceptably reduce the traditional quality of the building. This and the introduction of new openings would be a poor response to the building's original architecture, appearing overly modern and domestic. The appeal scheme would therefore fail to either preserve or enhance both the character and appearance of the FCA.
7. These harms would be worthy of considerable importance and weight. Given the scale and scope of the proposed development, they would be less than substantial for the purposes of the Framework. I am unaware however as to what public benefits the scheme would bring. Nothing compelling in this respect has been advanced.
8. Consequently, the proposal would conflict with Policies ENV2 and ENV3 of the Craven Local Plan 2019 (CLP). These require, amongst other things, that proposals preserve or enhance the character or appearance of a conservation area, and respond to the context of the site, enhancing local distinctiveness. It would also be contrary to the Framework, which requires that, when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation, and that new development should make a positive contribution to local character and distinctiveness, being of high quality and visually attractive.

Living Conditions

9. Whilst it might be possible for a single person to occupy the proposed unit overall, the bedroom space on the mezzanine level would have significantly reduced head height where the occupier would only be able to stand in a small area in the middle. This could be remedied by increasing the height of the building further, but this is neither before me nor, given my earlier findings, can I be sure it would not give rise to further design and appearance harm. The amount of floorspace overall would comply with nationally described standards but these have not been adopted by the development plan. In any case, my concerns here relate to the quality of the internal arrangements and the practical usability of the floorspace as opposed to how much is being provided in totality.
10. The outdoor space provided for the unit would be a very small area that would fit no more than a small table and chairs at the foot of what would be the off-road parking area. Being of the size proposed, between a parked vehicle, the back wall of the unit and surrounding boundary treatment, this space would be of an unacceptably poor quality, garnering a strong sense of enclosure and oppressiveness. Due to it being so closely associated with the parking area, it would also be of very limited practical use in the private sense.
11. Accordingly, the proposal would not provide suitable living conditions for future occupiers, thereby conflicting with CLP Policy ENV3 which seeks, amongst other

things and in regard to this main issue, to ensure all new residential units have direct access to an area of private amenity space and that conversions to flats provide a good standard of amenity for its occupiers. There would also be conflict with paragraph 127 of the Framework, which includes an expectation that development will provide good standards of amenity for future users.

Other Matters

12. If not converted, the appeal site will likely remain in its current state. This would not however outweigh the harm identified in regard to the FCA which is in regard to the appeal scheme specifically. In addition, the appeal process should not be used as a means to evolve a scheme and what is before me should be what the Council issued a determination on. Any changes should be addressed with a fresh application to the Council in the first instance. Furthermore, I have not been passed any further details or made aware of the specific circumstances of the previously approved application. I cannot therefore be sure there are sufficient similarities with this case, or that its respective context is the same as the scheme before me such that it would alter my conclusions on the main issues.

Conclusion and Recommendation

13. For the reasons given above, the appeal scheme would conflict with the development plan and material considerations do not indicate a decision other than in accordance therewith. I therefore recommend that the appeal should be dismissed.

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

John Morrison

INSPECTOR