



Appeal Decision

Site visit made on 6 November 2025

by **R Gravett BA(Hons) DipTP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 9 December 2025

Appeal Ref: APP/X1355/W/25/3369720

Land at the north east of North Farm, Browney Bank, Satley DL13 4HT

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
 - The appeal is made by Mr Keith Flowers against the decision of Durham County Council.
 - The application Ref is DM/24/01060/VOC.
 - The application sought planning permission for “conversion of agricultural building into one dwelling (C3) (Re-submission of DM/22/01513/FPA) as amended by plans received 20.10.2022” without complying with a condition attached to planning permission Ref DM/22/02508/FPA, dated 28 October 2022.
 - The condition in dispute is No 2 which states that:
The development hereby approved shall be carried out in strict accordance with the approved plans listed in Part 3 - Approved Plans.
 - The reason given for the condition is: To define the consent and ensure that a satisfactory form of development is obtained in accordance with Policy(ies) 29 of the County Durham Plan and Parts 2 and 12 of the National Planning Policy Framework.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. I observed on my site visit that the glazing installed on the northern elevation of the appeal property differs from the glazing shown on the ‘Side (North) Elevation’ plan before me, notably it has been installed with a break in glazing between the ground and first floors. For the avoidance of doubt, I have dealt with the appeal based on the plans which were before the Council when the application was determined.

Background and Main Issue

3. Planning permission was granted in October 2022¹ (‘the original permission’) for the conversion of the appeal property into a single dwelling. Condition 2 required that the development be carried out in strict accordance with those plans listed in ‘Part 3 – Approved Plans’ of that permission. Alterations have since been made to the building, which include the installation of additional glazing on part of the northern elevation, an additional window on the western elevation and changes to the internal layout.

¹ LPA Ref. DM/22/02508/FPA

4. The Council has raised no issue with regards to the new window on the western elevation or the internal changes. I have no reason to disagree.
5. Therefore, the main issue is whether the variation of Condition 2 and the additional glazing on the northern elevation would preserve or enhance the character or appearance of the Satley Conservation Area (the CA), including from development within its setting; and its effect on the significance of the host building, a non-designated heritage asset.

Reasons

6. The Planning Practice Guidance² (the PPG) states that non-designated heritage assets are buildings, monuments, sites, places or areas identified by plan making bodies as having a degree of heritage significance meriting consideration in planning decisions, but which do not meet the criteria for designated heritage assets. It is not clear whether the Council has followed the advice in identifying the appeal property as such, but the PPG³ recognises that in some cases non-designated heritage assets may be identified as part of the decision-making process on planning applications.
7. The appeal property is a dwelling which has been converted from a traditional, stone-built field barn with attached corrugated clad hay barn. The Council's evidence is that the field barn is of historic interest, as an agricultural building which dates from the mid-C19th and appears on the 1st Edition Ordnance Survey Map. It is part of an interesting group of agricultural buildings which are traditional in form, materials and proportions. Consequently, I find the appeal property has historic and architectural significance as a non-designated heritage asset (NDHA).
8. The appeal property is partly in the Satley Conservation Area (the CA) which covers an area encompassing the linear settlement of Satley either side of the B6296. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the CA.
9. Paragraph 207 of the National Planning Policy Framework (the Framework) requires applicants to describe the significance of any heritage assets that may be affected by a proposal including any contribution made by their setting. I have not been provided with a character appraisal for the CA. However, the appellant's evidence refers to the 'County Durham Design Code Supplementary Planning Document' (2024) (SPD) which identifies Satley as a 'Historic Village.' In such villages, the SPD identifies that the plan form is typically defined by the landscape, with farmstead developments often found within or at the edge of historic villages and the built form is predominantly of simple, traditional form and proportions.
10. From my assessment of the evidence and observations on site, the significance of the CA, insofar as it relates to this appeal, is derived from the linear layout of the village and the age and traditional local vernacular of buildings, which are typically stone built with simple, balanced and proportioned openings and fenestration.
11. The setting of a heritage asset is the surroundings in which it is experienced. Elements of a setting may make a positive or negative contribution to the

² Paragraph: 039 Reference ID: 18a-039-20190723

³ Paragraph: 040 Reference ID: 18a-040-20190723

significance of an asset, may affect the ability to appreciate that significance or may be neutral. I observed that the CA is best appreciated from the B6296 and particularly on the approach to the village from either direction where the linear built form can be seen in its open, predominantly agricultural landscape. Given its prominent location at the edge of the village, and the composition of the traditional agricultural buildings, the appeal property makes a positive contribution to the character and appearance of the CA, including its setting.

12. The original permission retained significant elements of the host building, notably its traditional form and proportions, but introduced several openings including full height glazing to the kitchen. On the northern gable elevation of the two-storey hay barn, the approved plans show single ground and first floor windows which are modest in size and broadly reflect the scale of other openings in the building. These windows have been replaced and the 'Side (North) Elevation' plan shows wide glazing panels centrally sited within the elevation which would extend from the ground floor almost up to the eaves of the gable. A significantly greater area of this two-storey elevation would therefore be glazed.
13. The SPD identifies vertically balanced and proportioned fenestration as a key feature of architectural detailing within 'Historic Villages'. From within the CA, the windows on the southern elevation would be unchanged from the original permission and appear restrained with the single first floor window similar in size and aligned with the window at ground floor. However, rather than having an appropriate balance of windows over ground and first floor, the glazing on the northern elevation would introduce an unduly strong vertical emphasis. It would not therefore encompass the form of fenestration to which the SPD refers. Moreover, although not visible from it, the glazing would be out of character with the traditional fenestration prevalent in the wider CA.
14. There is a section of dense landscaping between the entrance signs for the village and the access to the appeal property from the B6296, which filters close-by views of the dwelling. Further away, as the village is approached from the north-east, there are more than fleeting views, particularly from the pavement on the eastern side of the road. From here, the height and steeply pitched roof of the hay barn is prominent and the glazing that has been installed draws the eye, appearing starkly residential in contrast to the predominantly agricultural setting. Light spill from the glazing would increase this prominence during the hours of darkness.
15. The prominent contrasting scale and appearance of the glazing would result in harm to the character and appearance of the CA, and undermine the simple, balanced proportions of its local vernacular. The erosion of traditional materials and proportions on this elevation of the barn further harms the significance of the building as a NDHA and the contribution it makes to the CA and its setting. Although some large elements of glazing were approved as part of the conversion, at ground floor level these are less visually prominent, and do not interrupt the traditional proportions of the north elevation in the same way as the glazing being considered by this appeal.
16. The appellant has suggested that land adjacent to the B6926 could be planted with appropriate screening to mitigate the visual impacts of the development. This could be controlled by condition. However, I have little evidence before me that such planting would be effective in screening the dwelling, notably at times of year when trees or hedgerows would not be in full leaf. Furthermore, the planting would

be unlikely to mature for some time and, in any event, cannot be relied upon in perpetuity to hide development that would otherwise be harmful.

17. Paragraph 212 of the National Planning Policy Framework (the Framework) advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 213 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that this should have a clear and convincing justification. In weighing applications that directly or indirectly affect a NDHA, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The harm that I have identified to the CA would be at the lower end of less than substantial, but it is nevertheless of considerable importance and weight. Under such circumstances, paragraph 215 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
18. I have no persuasive evidence before me that an increase in glazing on the northern elevation is needed for the conversion of the NDHA to a residential use, or that the original permission would not achieve this.
19. In the absence of any other public benefits being advanced, I conclude that the variation of Condition 2 and the additional glazing on the northern elevation would fail to preserve or enhance the character or appearance of the Satley Conservation Area (the CA), including from development within its setting. In taking a balanced judgement, it would further result in harm to the significance of the appeal property, a non-designated heritage asset. Consequently, it would conflict with the Framework and with policies 29 and 44 of the County Durham Plan (2020). Together, these require development to contribute positively to an area's character, identity and heritage significance, sustain the significance of designated heritage assets, and contribute positively to the historic environment.

Other Matters

20. The appellant has drawn my attention to a dwelling within the CA on Back Lane considered similar to the appeal property, as it has glazing which follows the steep pitch of its northern gable. However, I observed on my site visit that this dwelling is set well off the B6296 and whilst it faces open countryside beyond Back Lane, it is a modest bungalow which is not prominent in views on the approach to the village. Moreover, although relatively modern in appearance, the glazing to the northern gable is restrained, comprising only ground floor bifold doors with a triangular section of glazing above. Therefore, this example is not directly comparable to the development before me and its presence in the context of the appeal building does not alter my findings in respect of the harm caused by the development.

Conclusion

21. The appeal conflicts with the development plan and material considerations do not indicate that the appeal should be decided other than in accordance with it. For the reasons given above, I conclude that the appeal is dismissed.

R Gravett , INSPECTOR