



Appeal Decision

Site visit made on 20 January 2026

by N Teasdale BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 23rd February 2026

Appeal Ref: APP/U2750/W/25/3375659

Myers Farm Barn, Leyburn Road, Wensley, Leyburn DL8 4HR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a grant of planning permission subject to conditions.
 - The appeal is made by Mrs Gabriela Baxter against the decision of North Yorkshire Council.
 - The application Ref ZD24/00100/FULL was approved on 9 June 2025 and planning permission was granted subject to conditions.
 - The development permitted is full planning permission for extension to existing barn conversion, removal of an existing outbuilding and the creation of a new detached outbuilding (revised plans added to the case file on 03/12/2024)
 - The condition in dispute is No 2 which states that the development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof: a) application form and certificates; b) Location Plan c) Proposed Elevations drawing no PL04 Rev F d) Proposed Floor Plan drawing no PL03 Rev F e) Existing Elevations drawing no PL02 Rev A f) Existing Floor Plans drawing no PL01 Rev A g) Proposed Roof Plan drawing no PL05 Rev B h) Proposed Roof Plan, Outbuilding Elevations and Floor Plan drawing no PL05 Rev A i) EcoSurv Bat Activity Report dated 19th May 2025.
 - The reason given for the condition is to ensure that the development is carried out in accordance with the approved particulars and plans.
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Decision

1. The appeal is allowed and the planning permission Ref ZD24/00100/FULL for full planning permission for extension to existing barn conversion, removal of an existing outbuilding and the creation of a new detached outbuilding (revised plans added to the case file on 03/12/2024) at Myers Farm Barn, Leyburn Road, Wensley, Leyburn DL8 4HR granted on 9 June 2025 by North Yorkshire Council is varied by deleting condition 2 and substituting it for the following condition:

2) The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

a) application form and certificates; b) Location Plan c) Proposed Elevations drawing no PL04 Rev A d) Proposed Floor Plan drawing no PL03 Rev A e) Proposed Roof Plan and Outbuilding Elevations and Floor Plans drawing no PL05 Rev A f) EcoSurv Bat Activity Report dated 19th May 2025.

Applications for costs

2. An application for costs was made by Mrs Gabriela Baxter against North Yorkshire Council. This application is the subject of a separate decision.

Background and Main Issue

3. Planning permission was granted under reference ZD24/00100/FULL for full planning permission for extension to existing barn conversion, removal of an existing outbuilding and the creation of a new detached outbuilding (revised plans added to the case file on 03/12/2024). Condition 2 controlled the approved plans and particulars to ensure that the development is carried out in accordance with such approved details. The appellant contends that the approved plans have reduced the potential additional living space to a level which has no meaningful benefit and does not meet the current or potential future life needs of the appellant and her spouse. The appellant therefore objects to condition 2 and seeks to replace the approved plans with those comprising earlier revisions/submissions.
4. Taking into account the evidence before me and comments made from interested parties, I consider the main issues to be:
 - The effect of the proposed development on the character and appearance of the host property and surrounding area; and
 - The effect of the proposed development on the living conditions of the neighbouring barn known as Owl's Nest located to the north with particular regard to outlook, light and privacy.

Reasons

Character and appearance

5. The appeal site relates to Myers Farm Barn which is a small stone barn conversion with a detached outbuilding to the north. It is sited on the north side of the Wensley to Leyburn Road and has an established curtilage and is surrounded by agricultural land. A hedgerow bounds the roadside to the south which provides some screening from certain vantage points along the road.
6. The existing property was originally granted permission for conversion in conjunction with another barn to the north known as Owls Nest as it was not considered large enough at the time as a single dwelling. Both properties were linked to provide adequate living space. Since that time, permission was granted to split the properties although it is undisputed that the appeal property is too small in its current form to provide adequate living space. In considering the approved scheme subject to this appeal which allowed for extension work, the Council explained that the plans (as approved) provide a proportionate amount of living space.
7. The approved plans allow for the increase of living space by removing the existing outbuilding and creating an extension to the north of the building largely covering the footprint of the existing outbuilding and would be taller in height. In approving the plans, the Council confirmed that the scheme is only slightly over the national minimum for a one bedroomed two-person dwelling. The Council explain that while the overall massing is larger than ideal, it is considered the minimum extension necessary to provide adequate living accommodation. This was considered against Policy CP8 of the Richmondshire Local Plan 2012-2028, 2014 (LP) which supports the re-use of existing rural buildings without substantial alteration, extension or reconstruction.

8. The proposed plans would use the footprint already established by the outbuilding and existing north extension; adding a replacement structure which is more spatially efficient. Whilst the new extension would cover a larger area than the existing outbuilding and is larger than the approved scheme, the changes over and above that of the approved plans are not considered to be so substantially different to lead to a harmful impact nor extensive enough to warrant a refusal.
9. Further, the extended structure would continue to be set lower than the ridge height of the main barn and the flat roofed link extension which is modest in size would create a visual break between the barn and the new extension. This, along with the roof form which slopes downwards on the east elevation and its overall matching materials/minimalistic design helps to maintain proportionality with the host dwelling.
10. I recognise that any proposal to further increase the barn will have some impact upon its overall character and appearance. The original permission allowed both barns to be used in conjunction with one another but the two are now separated and must be assessed on the need for more living space versus the potential impact of the proposals upon the building and surrounding area. In assessing the scheme before me, the proposed works would not be substantial or extensive over and above the built development already at the site or in comparison to the approved plans which the Council has found to be acceptable at this site.
11. The proposed development would be a sympathetic integration which retains the agricultural feel and would therefore not comprise a harmful addition when viewed from the surrounding area. It would also not have a detrimental effect on the rural and traditional character of the host property or that of Owls Nest to the north. The two barns would continue to sit well together and within the surrounding landscape. To this end, the positioning of the extension to the north and between both properties means that its overall visibility would also be limited.
12. In coming to such findings, I have considered previous extension work but still find the scale and design to sit comfortably with the character of the main building and surrounding area.
13. Further to the above, I also observed the level of living space as part of my site visit and even taking into account the approved extension, it would provide for only the minimum level of living space. I am sufficiently persuaded that additional living space is required at this property to serve the needs of existing and future occupiers and the increase in living space generated is on balance considered acceptable.
14. My attention has been drawn to a previous appeal for Owl's Nest¹ which was dismissed on grounds of its scale and the disproportionality that it would have created with Myers Barn. The Inspector in that case explained that the extension would be a substantial addition to the property which would result in an overly assertive and disproportionate extension. There were also concerns regarding the ridge line being at odds with the original simple form and layout. Whilst both relate to extension work, the schemes themselves are different including their design as well as the level of existing built development being replaced. Additionally, the Council has already accepted an extension at the appeal site recognising the shortfall in living space. There are therefore differences between the two schemes,

¹ APP/V2723/D/19/3237666

and I do not find them to be directly comparable. I have assessed this scheme based on its own merits.

15. As set out above, Policy CP8 of the LP supports the re-use of existing rural buildings without substantial alteration, extension or reconstruction. However, the re-use of the building has already taken place under previous permissions and thus I do not find this criteria to be strictly relevant. The overall aim of Policy CP8 is to achieve rural sustainability which means balancing the qualities of the rural environment against the need to promote sustainable rural communities. It seeks to encourage an appropriate scale of change consistent with a sustainable rural future. Given my findings above, I do not find that the proposed development would conflict with the overall aims of Policy CP8 of the LP.
16. For the above reasons, the proposed development would not unacceptably harm the character and appearance of the host property and surrounding area. It would therefore comply with Policy CP8 of the LP.

Living conditions

17. The proposed extension would sit on the boundary with the neighbouring barn, Owl's Nest which is located to the north. It would however be of single storey height with the roof form sloping downwards when viewed from Owls Nest which reduces the overall scale of the extension. There is also a reasonable level of space between the north elevation of the extension and Owls Nest where a level of openness would still be maintained. The proposed development would not therefore unacceptably harm the outlook of existing occupiers of Owl's Nest. Given the size of the proposed extension over and above that of the existing outbuilding and taking into account the level of space between both properties and what has been found to be acceptable at this site as part of the approved plans, then I am sufficiently satisfied that the proposed development would not unacceptably harm the levels of light afforded to Owls Nest.
18. In terms of privacy, no new openings are proposed on the north elevation which faces Owls Nest. This mitigates any unacceptable loss of privacy or amenity.
19. For the above reasons, the proposed development would not unacceptably harm the living conditions of the neighbouring barn, Owl's Nest located to the north with particular regard to outlook, light and privacy. It would therefore accord with Chapter 12 of the National Planning Policy Framework relating to achieving well-designed places.

Other Matters

20. I acknowledge concerns regarding noise and disruption associated with construction. However, given the small-scale nature of the extension, works are unlikely to be prolonged and is not expected to be of a level which would be prejudicial to the living conditions of those nearby.
21. Concerns have also been raised regarding wildlife on the site. A Bat Activity Survey has been complete which sets out recommendations of mitigation in relation to precaution measures and sensitive lighting scheme followed by enhancements. This is dealt with by way of a planning condition on permission ZD24/00100/FULL which will still apply.

22. I am unable to control informal discussions which have been had regarding future development at the site, and this would not alter my findings on the above main issues. I have assessed this scheme based on its own merits.

Conclusion

23. For the reasons given above and having had regard to the development plan as a whole, the appeal is allowed.

N Teasdale

INSPECTOR