

Appeal Decision

Site visit made on 18 October 2016

by M Seaton BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 08 November 2016

Appeal Ref: APP/E2734/D/16/3154156

Beck Bottom Barn, Stainburn, LS21 2LS

- 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 S Thompson against the decision of Harrogate Borough Council.
 - The application Ref 6.133.58.A.FUL, dated 9 April 2016, was refused by notice dated 31 May 2016.
 - The development proposed is a first floor side extension.
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Decision

1. The appeal is allowed and planning permission is granted for a first floor side extension at Beck Bottom Barn, Stainburn, LS21 2LS in accordance with the terms of the application, Ref 6.133.58.A.FUL, dated 9 April 2016, and subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing Nos 1602/01, 1602/04, 1602/05.
 - 3) Details of the materials to be used must be submitted to the local planning authority for approval, before any works commence.

Main Issues

2. The main issue is the effect of the proposed development on the character and appearance of the existing buildings and the area.

Reasons

3. The appeal site is occupied by a converted barn which it is indicated formed part of the redevelopment of Beck Bottom Barn, and which also incorporates a garage and outhouse extending as an 'L-shape' from the main dwelling. The property is set back from the road and shares a private access with Beck Bottom Manor. A large garden is situated to the rear of the dwelling which is largely enclosed by significant boundary planting and has the effect of screening the dwelling and curtilage from both neighbouring properties and the surrounding countryside. The appeal site is not highlighted as being within a conservation area or the setting of a listed building, or a protected landscape.
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4. The Council has indicated in the reason for refusal that as a consequence of the design, use of materials, form and siting, that the first floor side extension would result in an incongruous and obtrusive addition to the existing dwelling, and by extension the surrounding rural area. In this respect, I have had regard to the generally traditional external form of the existing dwelling, albeit acknowledging the more modern and contemporary interventions in the form of the incorporation of two-storey glazing elements to facilitate the conversion.
5. In reaching my conclusions, I have had regard to the Council's references to the Development Plan policies contained within the saved Harrogate District Local Plan 2001 – as amended by the Selective Alteration 2004 (the Local Plan), the policies of the Harrogate District Core Strategy 2009 (the Core Strategy), and the Council's Housing Extensions and Garages Design Guide Supplementary Planning Document (Housing Extensions SPD). In particular I have noted the references to saved Policies H15 and HD20 of the Local Plan and Policy SG4 of the Core Strategy and the Housing Extensions SPD, which set out that proposals should be complementary and appropriate in form and character, and that residential extensions should not result in detriment to the character and appearance of the dwelling.
6. In addition to the policies of the Development Plan and the Housing Extensions SPD, I have also been mindful of paragraph 60 of the National Planning Policy Framework (the Framework), which states that *planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles*.
7. I have carefully considered the Council's argument regarding the appropriateness of the form and impact of the proposed extension to the dwelling, and I have also had regard to the existing more modern elements to the existing residential conversion. I accept that the appellant is proposing a bold and highly contemporary addition to what remains overall a more broadly traditional form and layout of building. However, despite the modern and contrasting design approach of the proposals, I do not consider that as a consequence of the detailed design, size and position of the proposed extension that this would lead to an unacceptable erosion of the character of the existing unlisted building or would be visually obtrusive in views into the site. To the contrary, I would agree with the appellant's assessment that the proposed subservient addition would be of its own period, and that this would amount to a further visual and stylistic evolution of development within the surrounding group of buildings. In this respect, whilst the extension would provide a clear visual contrast, I am not persuaded that it would be unacceptably obtrusive in the manner contended by the Council.
8. I have noted the references within the Council's submissions to the impact on the rural character of the surrounding landscape, but even allowing for the incorporation of a chimney to the proposed extension, I do not consider the scale and position of the proposed extension would have any significant impact on the landscape within which it is situated. I have also had regard to the Council's reference to the rear terrace as not possessing planning permission, although the presence of this addition has not had any significant bearing on my decision-making.

9. On this basis, I am satisfied that despite the contemporary design approach of the proposed extension, there would not be an unacceptable impact on the character and appearance of the existing dwelling, or the area. I have had regard to the Council's reference to saved Policy C16 of the Local Plan but do not agree that it is relevant to the extension of an existing established dwelling. However, I do consider the proposals would accord with saved Policies H15, HD20, and C2 of the Harrogate District Local Plan, as well as Policies EQ2, SG3 and SG4 of the Core Strategy. These policies seek to protect existing landscape character, and ensure there is no detriment to the character and appearance of a dwelling and area as a consequence of development. Furthermore, the proposal would not conflict with paragraphs 17 and 60 of the Framework, which seek to secure a high quality of design and ensure that planning policies and decisions should not attempt to impose architectural styles or particular tastes.

Other Matters

10. In reaching my decision, I have had regard to the concerns of a neighbouring occupier reported in the officer report over the potential for the position of the proposed extension to result in an adverse impact on living conditions, having regard to overlooking. However, I would agree with the Council's conclusions reached within the officer report that a combination of the distance and existing screening between the proposals and the neighbouring property would result in an acceptable amenity relationship.

Conditions

11. In the interest of proper planning, conditions relating to timeliness and the identification of plans would be necessary. I have noted that the Council has suggested conditions relating to the use of matching materials and the submission of details of proposed materials. In the context of the proposed development, I consider the requirement for the submission of details to be more appropriate in the interests of the character and appearance of the dwelling and the area.

Conclusion

12. For the reasons above, the appeal should be allowed subject to the conditions listed.

M Seaton

INSPECTOR