The Planning Inspectorate

Appeal Decision

Site visit made on 17 February 2020

by R E Walker BA Hons DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 February 2020

Appeal Ref: APP/E2734/D/19/3242390
Coldstones Fold Farm, Bewerley, Harrogate, North Yorkshire HG3 5BJ

- 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 And Mrs Boag against the decision of Harrogate Borough Council.
- The application Ref 19/03066/FUL, dated 13 July 2019, was refused by notice dated 16 September 2019.
- The development proposed is a single storey extension (Revised Scheme).

Decision

1. The appeal is dismissed.

Procedural Matters

2. The description of development in the heading above has been taken from the planning application form. However, in Part E of the appeal form it is stated that the description of development has not changed but, nevertheless, a different wording has been entered. Neither of the main parties has provided written confirmation that a revised description of development has been agreed. Accordingly, I have used the one given on the original application which accurately describes the proposal.

3. The site address in the application form is Coldstones Fold Farm House, Coldstone Farm, Greenhow, Harrogate, North Yorkshire HG3 5BG. However, I have adopted the address used by the Council in the banner heading as this more accurately identifies the postcode of the appeal site.

4. Since the submission of the appeal, the examining Inspector issued his report into the soundness of the Council's emerging Local Plan (ELP). He concluded that the ELP is sound subject to main modifications. The parties have had the opportunity to comment on this matter insofar as it relates to the appeal.

Main Issue

5. The main issue is the effect of the proposed extension on the character and appearance of the host property and surrounding area.

Reasons

6. The appeal site is a detached property located within a small group of 3 dwellings in a remote location within the Nidderdale Area of Outstanding

Natural Beauty (AONB). It is accessed from a long farm drive and bridleway which runs across an exposed hillside within an undulating landscape.

7. There is a dispute between the main parties regarding the historical use of the appeal building. The appeal property is positioned adjacent to 2 former barns which have been converted. However, it contrasts in its form and appearance with these converted barns, containing chimney stacks and fenestration more akin with a traditional dwelling house. Moreover, there is no substantive evidence before me that it was previously a barn. Nonetheless, it is an attractive property and the main parties agree that it is a non-designated heritage asset. Alongside the other properties it contributes positively to the character and appearance of this part of the AONB.

8. The Heritage Management Guidance SPD (HMG) (2014) and Harrogate Landscape Character Assessment (HLCA) (2004) offer general guidance for developments. These advise, amongst other things, that developments within the AONB, will be expected to demonstrate high standards of design, which should reflect local distinctiveness.

9. I have also been referred to the Council's House Extensions & Garages Design Guide Supplementary Planning Document (SPD). This says that outside settlements, house extensions that extend the ground floor area of the original house by more than 50% will not normally be permitted unless there is an exceptional household need. The Council advise that in combination with the previous extensions to the property this 50% threshold would be exceeded bringing conflict with the SPD.

10. The original property has been extended to the side and the proposal would project from this side extension. It would also overlap the original rear elevation, creating an awkward juxtaposition with the original dwelling and side extension. Moreover, the extensive glazing to the roof and walls, together with the form of the extension, would result in a rather modern element in contrast with the more traditional form of the original property.

11. I recognise that views of the rear elevation are limited, although there did appear to be isolated distant views from the B6265. Nonetheless, the proposal would still be an unsympathetic form of extension, which would result in an incrementally harmful effect on the character and appearance of the original property as a non-designated heritage asset within the AONB.

12. I note the appellants reference to paragraph 194 of the National Planning Policy Framework (the Framework). However, this relates to designated heritage assets. Paragraph 197 of the Framework relates to non-designated assets such as the appeal site and says that any direct or indirect effects to such assets need to be balanced against other factors, having regard to the scale of any harm.

13. Reference is made to the potential permitted development rights associated with the property and whether they have been removed or not as part of the previous planning history at the appeal site. However, such matters are not for me to assess as part of this appeal and there is no substantive evidence before me of a fallback position. In any case, I have considered the appeal proposal on its own merits.

14. I have been referred to an example of another extension in the AONB that was approved with extensive glazing. However, I have not been provided with elevation drawings. Nonetheless, from the information provided although there is extensive glazing to one elevation, the roof is predominantly slate with little glazing and the other elevation shown has no glazing. Moreover, the extension has a lean-to form which replaced a similar form of structure. Overall, it is a markedly different form of extension and is not comparable to the proposal before me.

15. I recognise that extending the property might meet the appellants need for increased accommodation, improving the living conditions within the property. These aspects are supported by the Framework and do weigh in favour of the scheme. However, I afford these benefits limited weight as the benefits to the public would be low. As such, I am not persuaded that these benefits outweigh the harm I have identified to the character and appearance of the host property and surrounding area.

16. I therefore conclude that the proposal would conflict with the requirements of the Framework, saved Policies H15, HD20 and C2 of the Harrogate District Local Plan (2001) (HDLP), Policies EQ2, SG3 and SG4 of the Harrogate District Core Strategy (2009) (HDCS), the SPD, HMG and HLCA. These say, amongst other things, that extensions to dwellings will be permitted provided there is no detriment to the character or appearance of the dwelling or the surrounding area.

17. The proposal would also conflict with the requirements of Policies HP2, HP3, HS8, GS8 and NE4 of the ELP. These say, amongst other things, that extensions to dwellings will be permitted provided that there is no adverse impact to the character or appearance of the dwelling or the surrounding area. I afford significant weight to the conflict with these policies given the advanced stage of the ELP.

18. The proposal attracts no support from Policy C1 of the HDLP as, although the development would adversely affect the local landscape character, its impact would not be so 'significant' to raise a conflict with that policy. Policy C16 of the HDLP relates to the re-use and adaptation of rural buildings and, as outlined previously, I have no substantive evidence before me that the appeal property is a former barn. As such, I do not consider this policy to be determinative.

Other Matters

19. Concerns regarding the processing of the application, are not issues that I can assess as part of this appeal. The validity or not of such matters do not affect the planning merits or effects of the proposal before me.

20. I note that the appellants have made changes to their scheme following a previous refused application with the view to finding a solution. However, this is not a matter for my consideration in this appeal and I am only able to make my decision considering the plans that were before the Council when they made their decision.

21. I recognise that the proposal would not harm the living conditions of the occupants of neighbouring properties. The lack of harm in this respect is a neutral matter weighing neither for or against the proposal.

Conclusion

22. I note the appellants reference to paragraph 10 of the Framework and the presumption in favour of sustainable development. Good design is a key aspect of sustainable development and the desirability for new development to make a positive contribution to local character and distinctiveness. However, the proposal would have a harmful effect on the character and appearance of the host property and surrounding area. Therefore, it would not represent sustainable development as sought by the Framework.

23. I have considered all the arguments advanced in support of the proposal. However, I do not consider such matters to clearly outweigh my conclusions on the main issue. The appeal is therefore dismissed.

Robert Walker

INSPECTOR