



Appeal Decision

Site visit made on 9 June 2020

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 June 2020

Appeal Ref: APP/Y2736/D/20/3245086

Apple Tree Cottage, Railway Street, Slingsby, Malton YO62 4AL

- 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 Helme against the decision of Ryedale District Council.
 - The application Ref 19/01223/HOUSE, dated 23 October 2019, was refused by notice dated 10 January 2020.
 - The development proposed is single storey side extension to form a bedroom.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposal would be acceptable in terms of design and whether it would conserve or enhance the character and appearance of the Slingsby Conservation Area (CA).

Reasons

3. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving and enhancing the character or appearance of Conservation Areas (CA). Policy SP12 of the Ryedale Local Plan 2013 (LP) also seeks to, amongst other things, conserve and enhance the character or appearance of CAs within the district.
4. The appeal property is located towards the northern end of the Slingsby Conservation Area (CA) on Railway Street. The immediate surrounding area is characterised by attractive development of predominantly detached and semi-detached housing in linear plots which run perpendicular to the road. Properties line both sides of the road but are set back behind a verge and footpath affording the area with a spacious feel. The limited material palette of local limestone, slate and clay pan tiles and relatively simple architectural form of the buildings provide a relatively uniform appearance that contributes to the overall character of the wider village and CA.
5. The appeal property is a modest semi-detached cottage constructed in limestone with a red pan tile roof. It sits on a relatively spacious plot with off street parking to the side and a good-sized garden which wraps around the southern and western elevations. There is a substantial single storey extension

to the rear of the property that is mirrored on the adjoining cottage, Yew Tree Cottage. A new build detached house has been developed immediately to the north of Yew Tree Cottage infilling the garden area between the pair of semis and the properties to the north.

6. It is proposed to construct a single storey extension that would project from side of the existing rear extension. The extension would be set back from the principal elevation by around 9 metres and would be constructed in stone and pan tile to match the existing property. It would project approximately 4.5m from the side of the property and would provide an additional bedroom.
7. Much of the character of the CA is derived from the relatively simple linear form and construction of the buildings within it. Generally, extensions and outbuildings are to the rear of the houses thus maintaining the simplicity and form of the original buildings and the plots they sit within. The proposed extension would, in terms of scale be subordinate to the main dwelling and would preserve the fabric of the original house. Nevertheless, the projection of the proposed extension would equal the width of the principal elevation thereby completely altering the simple linear floorplan to one that would effectively be "T-shaped." The result would be a dominant feature that would appear "tagged on" to the existing dwelling thus unbalancing the proportions of the host dwelling. By virtue of this I consider that it would constitute poor design that would fail to preserve or enhance the character and appearance of the building or the CA.
8. I note the appellant's intention to the plant hedging to the east of the proposed extension and whilst on my site visit I saw that there was an existing hedge which screens the rear garden area. Whilst I accept that planting may soften and screen the extension to an extent, the roof would still be visible from the public realm and it would not fully address the dominance of the structure in relation to prevailing character of the host building and CA. Furthermore, hedging is not a permanent feature and could be lost at a future date thus enabling full and unrestricted views of the extension from Railway Street.
9. The appellant refers to the new build dwelling to the north of Yew Tree Cottage in the context that the development utilised the side garden of the property changing the street scene and thereby creating a precedent for other proposals within side gardens. Further reference is made to pre-application correspondence which the appellant claims indicates that the Council would object to a separate dwelling in the garden of the appeal property but not necessarily an extension.
10. I have considered this proposal on its own merits, nonetheless I do not accept that the two developments are directly comparable. Whilst I do not doubt that the new build dwelling would have altered the street scene it would not alter or unbalance the simple linear floorplan of the host property in the way that the appeal proposal would.
11. For the above reasons I consider that the proposal would be unacceptable in terms of its design and as such it would fail to preserve or enhance the character and appearance of the CA. It would, as a consequence, be contrary to the design and conservation requirements of Policies SP12, SP16 and SP20 of the LP and the Framework.

12. Taking into account Paragraph 196 of the National Planning Policy Framework (the Framework), the harm caused to the CA is less than substantial. Such harm must be weighed against any public benefits identified. Neither of the main parties has identified any public benefits associated with the development and there are none that I can identify.
13. The appellant submits that the proposal forms part of a series of improvements and alterations that have modernised the property, bringing it back into use. Whilst I sympathise with the appellant's desire to improve and extend the home and acknowledge the benefits associated with bringing an empty property back into use and such matters do not outweigh the harm I have found.

Conclusion

14. For the above reasons, and taking into account all other matters raised, I conclude the appeal should be dismissed.

J Hunter

INSPECTOR