
Appeal Decision

Site visit made on 7 July 2020 by C McDonagh BA (Hons), MA

by Zoe Raygen Dip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/N2739/D/20/3252456

Austin Barn, Main Street, Hillam, Selby LS25 5HH

- 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 Gerald Robinson against the decision of Selby District Council.
 - The application Ref 2020/0076/HPA, dated 24 January 2020, was refused by notice dated 30 April 2020.
 - The development proposed is West Face Elevation Development; 1. Install two new window openings to the first-floor room west elevation gable end wall. 2. Replace the existing outward opening single garage door with a vertically opening double door.
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

3. The main issue is whether or not the proposal would preserve or enhance the character and appearance of the Hillam Conservation Area (the CA).

Reasons

Character and appearance of host building and CA

4. The appeal property is of stone construction with a pitched, red pantile roof. Its west elevation fronts Main Street and is largely devoid of architectural detail other than the side-hung, double garage timber doors at ground floor level which enclose an integral garage. The proposal involves the creation of two new window openings at first floor level and the replacement of the existing garage doors with a single, vertically opening door upon this front elevation.
5. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires that special attention be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. There does not appear to be an appraisal of the Hillam Conservation Area to reference, but from my observations on the site visit its significance lies in its substantial cottages, many of them stone, of simple architectural form set

close to the road. Although there is some modern housing noticeable such as at Lilac Oval, these are not sufficient to diminish the contribution made by the historic built form to the significance of the CA. Many of these stone cottages are set with their gable ends facing the road with little or no fenestration punctuating their walls.

6. Austin Barn is prominent when travelling along Main Street. It has largely maintained its character and appearance as a former agricultural building despite its conversion to a dwelling and maintains an ancillary relationship to Austin Cottage next door. The lack of fenestration to the front and traditional style garage doors, irrespective of the age of the gable, has allowed the barn to retain the simple form dictated by its original use. It therefore contributes positively to the significance of the CA
7. While I note amendments were made to change the uPVC window frames and aluminium garage door to timber, the new window openings and replacement garage door would further domesticate the building eroding its origins as an agricultural barn. Therefore, even though the physical relationship between the cottage and the barn would be maintained, the ancillary nature of the relationship with Austin Cottage would be harmfully eroded through the introduction of the windows and vertical door.
8. My attention is drawn to a previous planning application¹ for dropped kerbs at the appeal site which contrasted that proposal against neighbouring properties. To that end, I am made aware of other examples of vertical garage doors in the area. While I did observe two of these on the site visit, these differed to the proposal before me in that they were located to the side of their host buildings, which are of a different architectural style. I have no details of the garage door type of the third example in the statement of case other than the photograph which has cars obscuring it. As such, I can't be sure of its age or how it relates to the proposal before me, which I must assess on its own merits.
9. Therefore, I accept that it is right that an assessment needs to be made in respect of the character and appearance of the wider area, taking into account the surrounding built form. However, in this instance the particular relationship between Austin Cottage and Austin Barn and the agricultural origins of Austin Barn, make an important contribution to the significance of the CA which would be harmed by the proposed alterations. As such, the proposal would cause harm to the character and appearance of the host building and the wider character and appearance of the CA.
10. I note the assertion from the appellant that the building is modern, along with Austin Cottage next door. I have very limited detail on this, and no conclusive evidence showing any additions to the original building. Regardless, it is located in the CA and makes an important contribution to the character and appearance of the designation given its shared characteristics with other notable buildings in the vicinity and its historic use as an agricultural building.
11. For the reasons as set out above the proposal would neither preserve nor enhance the character or appearance of the Conservation Area, regardless of whether there are no Listed Buildings nearby. The harm arising from the

¹ 2012/0519/FUL

proposal, in terms of the approach in the National Planning Policy Framework (the Framework), would be less than substantial. In these circumstances the Framework advises at paragraph 196 that this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

12. While there would be some benefit of the proposal, such as allowing the space served by the windows to be used as a living area, this would be of private rather than public benefit. I note the argument that the proposal would improve road safety by allowing more efficient use of the garage and reducing the potential for roadside parking, while also tidying the street and improving residential amenity nearby. While I have no reason to doubt this is an issue locally, the proposal would not create additional parking spaces given the garage is already in use and a different style of door would be unlikely to see its use increase to an extent to be materially different to the current situation.
13. I also note the reference to ensuring the optimum viable use of the building, consistent with paragraph 192(a) of the Framework. However, the building is already being used as a dwelling and I have no reason to believe this use would cease if windows were not permitted to the first-floor front elevation.
14. As such, there are no discernible public benefits and, on that basis, they are insufficient to outweigh the harm to the significance of the CA which in accordance with the requirements of the Framework, carries great weight.
15. To conclude the proposal would neither preserve or enhance the character and appearance of the Hillam Conservation Area. It would therefore be contrary to policies ENV1 and ENV25 of the Selby District Local Plan, Policies SP18 and SP19 of the Selby District Core Strategy and the Framework. Collectively these seek to ensure design has regard to local character, identity and context of its surroundings including historic townscapes.

Recommendation

16. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

17. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

Zoe Raygen

INSPECTOR