



Appeal Decision

Site visit made on 15 July 2020

by A Caines BSc(Hons) MSc TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 July 2020

Appeal Ref: APP/C2741/D/20/3252489

2 Granary Court, Main Street, Heslington, York YO10 5JU

- 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 Metcalfe against the decision of City of York Council.
 - The application Ref 19/02537/FUL, dated 28/11/2019, was refused by notice dated 3 March 2020.
 - The development proposed is described as a roof extension to existing single storey dwelling.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. I am informed that the appeal site is within the York Green Belt (GB). However, the effect on the GB was not cited in the Council's refusal reasons and the parties are in agreement that the development should not be regarded as inappropriate in the GB. On the evidence before me I have no reason to take a different view, so I shall not consider this matter any further in this decision.

Main Issue

3. In light of the above, the main issue is the effect of the proposed development on the character and appearance of the host building and the area, including whether it would preserve or enhance the Heslington Conservation Area (HCA).

Reasons

4. Heslington is a peripheral village to York city, but has its own distinctive rural village identity with agricultural origins. The HCA is centred on the original village pattern along Main Street and Heslington Lane, albeit with subsequent extensions to its boundary following its original designation to include wider surroundings.
5. The historic rural character from which the HCA derives its significance, as described in the description accompanying the Conservation Area plan, includes a rich heritage of streets, vernacular buildings, trees and open spaces. Many of the buildings are 18c or early 19c, usually detached or in short terraces, and closely spaced with narrow gated entrances or side lanes running between them. Main Street is noted for the visual unity of the street in having retained much of its traditional form and building fabric.
6. The appeal property is a single-storey building located to the rear of 49 Main Street. The evidence indicates that it is a converted farm building, with

additions including a porch extension. The Heslington Conservation Area Character Appraisal (2009) recognises that some aspects of recent developments, such as modest form or appropriate building materials, help to create neutral factors within the HCA, and identifies the appeal property as such a building. That it is not identified as a positive feature in the Character Appraisal does not mean that it does not contribute to the significance of the HCA. From my own observations, despite being altered, the building has a simple vernacular character reflecting the traditional rural origins and character of the village, thereby contributing to the character and appearance of the HCA, and hence to its significance. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires me to pay special attention to the desirability of preserving or enhancing the character or appearance of the HCA.

7. The proposal would raise the height of the porch extension to what would effectively be a two storey gable. The roof would run through to the rear above the height of the existing roof and into a wide dormer. The existing porch is a modest and clearly subservient extension, which does not dominate the building, or significantly alter its simple rural character. Due to its height and bulk, the proposal would be a significant addition to this current extension regardless of the materials used. The appellant suggests it would be an imaginative and innovative addition that would enhance the character of the building. I disagree. Both the two storey gable and substantial dormer would be incompatible with the simple rural character and form of this single storey building. Moreover, the height and bulk of the extensions would have a dominating effect on the host building. As a result, the proposals would have an unacceptable impact on the character and appearance of the host building and its surroundings. In doing so it would also cause harm to the character and appearance of this part of the HCA.
8. In reasoning the above, I acknowledge that there are some existing dormer windows and forward gable projections in the locality, but I observed them to be of sensitive scale and design so they do not justify the appeal scheme, which I have in any case determined on its own merits.
9. The development would not be subject to widespread public view, but it would be briefly visible down the driveway and across the car park from Main Street (West), as well as from within the car park and from surrounding properties and buildings. These views also contribute to the character and appearance of the HCA and are therefore important. Irrespective, the requirement for development proposals to preserve or enhance the character or appearance of the HCA applies with equal force whether or not the proposal is prominent, or in public view.
10. Owing to the nature of the identified impact, the harm to the significance of the HCA would be 'less than substantial' in the parlance of the National Planning Policy Framework (the Framework). However, any harm to a designated heritage asset requires clear and convincing justification. Furthermore, heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance.
11. In accordance with the Framework, the 'less than substantial' harm to the HCA should be weighed against the public benefits of the scheme. It is put to me that the development would benefit the local economy by providing work for

local tradesmen and suppliers. Even so, this modest short term benefit would not convincingly outweigh the harm that would be caused to the HCA, a matter to which I have attached great weight.

12. I conclude that the development would have a harmful effect upon the character and appearance of the host building and the area, and therefore, would fail to preserve or enhance the character or appearance of the HCA. The less than substantial harm to the significance of the HCA would not be outweighed by the public benefits of the scheme. Thus, the proposal would be contrary to statutory requirements and the aims of the Framework in this respect. It would also be contrary to the Heslington Village Design Statement Planning Guidelines, which require new development to respect the setting and character of Heslington and ensure extensions should not be more dominant than the parent building.
13. The Council's reasons for refusal also refer to policies in the City of York Draft Local Plan 2005 (DLP), the emerging City of York Local Plan - Publication Draft February 2018 (ELP) and the Supplementary Planning Document 'House Extensions and Alterations' (SPD). However, neither have been formally adopted and therefore, are not determinative in this case. Consequently, I only afford those policies weight insofar as they are consistent with the National Planning Policy Framework (the Framework). The proposal would conflict with DLP Policies GP1 and H7, and ELP Policies D1, D4 and D11. When read together, these policies state that development proposals that cause damage to the character and quality of an area will be refused, that proposals to extend existing buildings will be supported where the design and scale is appropriate to the main building and responds positively to its immediate architectural context and local character, and that development proposals within a conservation area will be supported where they are designed to preserve the special character and appearance of the conservation area.

Other Matters

14. Notwithstanding the absence of an up to date local plan for York, the harm I have found to the HCA provides a clear reason for refusing the development and therefore this proposal does not benefit from the Framework's presumption in favour of sustainable development.

Conclusion

15. I have found that the proposed development would have a harmful effect upon the character and appearance of the host building and would not preserve or enhance the character or appearance of the HCA, in conflict with the aims of the Framework and statutory requirements. These matters provide a clear justification for finding the scheme to be unacceptable and therefore the appeal should be dismissed.

A Caines

INSPECTOR