The Planning Inspectorate

Appeal Decision

Site visit made on 22 September 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 15 October 2020

Appeal Ref: APP/E2734/W/20/3253926
1 Holly Court, Bewerley, Harrogate HG3 5HY

- 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 Alan Proudfoot against the decision of Harrogate Borough Council.
- The application Ref 20/00456/FUL, dated 1 February 2020, was refused by notice dated 7 April 2020.
- The development proposed is erection of 1 no. dwelling with associated access and hard and soft landscaping (Resubmission).

Decision

1. The appeal is dismissed.

Procedural Matter

2. There are some minor variations in the description of development as given on the planning application form and the Council's decision notice. In the heading above I have used the description as given on the decision notice as this was also used in subsequent appeal documents.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area, with due regard to heritage assets and the Nidderdale Area of Outstanding Natural Beauty (AONB).

Reasons

4. The appeal site is within the village of Bewerley which has a generally linear arrangement, although an area of the village is focussed on a small village green. Although the village includes some relatively modern housing, Bewerley as a whole has an attractive rural character which contains good examples of vernacular and traditional architecture. This is reflected in its inclusion in the AONB which has the highest status of protection when it comes to landscape and scenic beauty.

5. The appeal site is part of the garden of Holly Court, which is a traditional ancillary building once part of the Bewerley Hall estate and which has been converted to residential use. Holly Court is set back from the road through the village, and the intervening area of garden makes an important contribution to

the character and appearance of the area at this entrance into the main body of the village.

6. The proposed dwelling would be located forward of the building line of Holly Court and would not reflect its alignment. Even allowing for the limited scale of the proposal, within this context the proposed dwelling would appear as constrained and incongruous built development which would significantly diminish the contribution that this area of garden makes to the appearance of the village. Although there is some tree and shrub planting within the garden, the proposal would be readily apparent in this prominent and sensitive location.

7. It is also proposed to create a new vehicular access and parking area to serve 1 Holly Court. To provide a visibility splay for the access, a low stone wall which is set close to Main Street would be set back from the highway. This stone wall is an attractive feature at the entrance to the village, and provides a clear boundary to the gardens of Holly Court. The setting back of the wall and the introduction of a vehicular access point would detract from the contribution that the wall makes to the area. It is also proposed to create a parking and turning area within the garden of No 1. This would introduce car parking in a prominent location which currently consists of attractive garden landscaping. The combination of the visibility splay and car parking would be of a suburban character which would detract from the important visual contribution that this site makes at a prominent location. I am also mindful that this harmful impact may increase as the Highway Authority has expressed concerns about the substandard specifications of the visibility splay and the functionality of the parking area.

8. Although Holly Court is not listed, the Council submits that it should be considered to be a non-designated heritage asset due to its association with the Bewerley Hall estate . This reflects my own observations where I saw that Holly Court was representative of the historic development of the village and a good example of traditional architecture. The garden is an important feature in the setting of Holly Court and the appreciation of its form and arrangement. The obtrusive and constrained nature of the proposed dwelling within the garden area in combination with the access and parking would lead to significant harm to the setting of this non-designated heritage asset. The proposal would also not reflect the alignment of Holly Court which would add to its incongruous appearance.

9. The Grade II* listed building of Bewerley Grange is located to the south of the appeal site. This was formerly a chapel and schoolhouse, and now consists of the restored chapel and a private dwelling. There is an area of trees, a small outbuilding and an access road between the listed building and the appeal site, which provide a degree of separation and screening. However, even allowing for the screening of trees and the degree of separation, the gardens of Holly Court and its set back from the highway contribute to the landscaped setting of the listed building and its importance as a designated heritage asset, particularly in views when approaching from the north. The introduction of the obtrusive and unsympathetic appeal proposal projecting forward of the built extent of Holly Court would detract from the setting of the listed building, although within the terms of the Framework this harm would be less than substantial.

10. I have had regard to the benefits arising from the proposal, which would add to the mix and supply of dwellings in the area. However, the benefits arising from a single dwelling would be very limited.

11. Drawing the above together, the proposal would lead to significant harm to the character and appearance of the area and would therefore be contrary to Policies HP3 and NE4 of the Harrogate District Local Plan 2020 (the Local Plan) in respect of local distinctiveness and landscape character. The proposal would also lead to significant harm to the character of this village in the AONB, and would therefore conflict with policy GS6 of the Local Plan which requires that development should not detract from the special qualities of the AONB.

12. The proposal would fail to protect or enhance the setting of the non-designated heritage asset of Holly Court as well as the setting of the grade II* listed building of Bewerley Grange. Whilst that harm would be less than substantial within the terms of the Framework, there are no public benefits that would be sufficient to outweigh that harm. The proposal would therefore conflict with policy HP2 of the Local Plan regarding its effect on heritage assets.

13. Policy GS2 of the Local Plan identifies Bewerley as a Smaller Village where small scale infill development will be supported in accordance with policy GS3. The appeal site is within the defined settlement limit of the village, and policy GS3 states that proposals for new development will be supported provided they are in accordance with other relevant policies of the Local Plan. However, the proposal is not supported by policies GS2 and GS3 as it does not accord with other relevant policies of the Local Plan as I have set out previously.

14. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR