



Appeal Decision

Site visit made on 15 February 2021

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

an Inspector appointed by the Secretary of State

Decision date: 15 March 2021

Appeal Ref: APP/C2708/W/20/3263172

Garage to the Rear of College Crescent, College Road, Skipton, North Yorkshire BD20 9DX

- 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 Jack Maude against the decision of Craven District Council.
 - The application Ref 2019/21283/FUL, dated 13 December 2019, was refused by notice dated 7 October 2020.
 - The development proposed is conversion of garage to form a two bedroom dwelling (re-submission of 2019/19397).
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have taken the appeal site address and the description of development from the planning appeal form as I consider that these accurately represent the proposal.
3. The proposal relates to an existing garage and store building. The Council considers that the building is unauthorised, but also confirm that it is immune from enforcement action. On that basis, I have proceeded to determine this appeal on the basis of the extant site, and the lawfulness or otherwise of the building is not material to my consideration of this proposal.

Main Issues

4. The main issues in this appeal are:
 - Whether the proposal would preserve or enhance the character and appearance of the Low Bradley Conservation Area;
 - The effect of the proposal on the living conditions of future residents of the dwelling with regards to outlook;
 - The effect on biodiversity and green infrastructure; and
 - Whether the site would be a suitable location for residential development with regards to planning policy.

Reasons

Conservation Area

5. The appeal site is located in the Low Bradley Conservation Area (CA). Based on what I have seen and read, including the CA Appraisal document, the CA derives significance from its historic development as a wool and mill village along with its association with the canal and surrounding countryside. The tight-knit built character of the village and the characteristic use of traditional building materials also give the CA a particular architectural quality which contributes to its significance as a designated heritage asset.
6. The appeal relates to an existing building constructed from traditional materials which reflect those used in the CA. These materials would also be used in the proposed extensions which form the basis of this appeal.
7. However, the extant building has an ungainly top-heavy appearance, and due to this design and projection beyond nearby buildings it is an incongruous feature within the streetscape. The proposed increase in height would exacerbate this unfortunate appearance, with the large area of flank wall on the south west elevation and narrower subsidiary outrigger appearing as prominent and obtrusive elements when approaching the site. This prominence would be increased due to the sloping topography of the area, and the projection beyond the elevations of nearby buildings. The increase in height and bulk resulting from the proposal would exacerbate the harm arising from the current building, leading to a dwelling of a contrived and awkward appearance.
8. I have had regard to the benefits of the proposal. The dwelling would add to the supply of housing in the area and residents would support local services, albeit to a limited degree. Due to the accommodation provided by the proposal it would also be likely to be relatively affordable, although no mechanism to ensure this has been proposed. Reference has also been made to the New Homes Bonus and Council tax revenues. However, the benefits from a single dwelling in these respects would be very limited. Residents would have convenient access to services in the village as well as the surrounding countryside, although this can be said for many sites within and around this settlement. The proposal would enable the appellant to remain close to his family, although this is a private benefit. Whilst the harm to the CA would be less than substantial, the public benefits arising from the proposal considered individually and cumulatively would not outweigh the great weight to be given to that harm.
9. I conclude that due to its design and arrangement, the proposal would fail to preserve or enhance the character and appearance of the CA, and that there are no public benefits that would outweigh that harm. The proposal would therefore conflict with the design and heritage requirements of policies ENV2 and ENV3 of the Craven Local Plan 2019 (the Local Plan). The proposal would also be contrary to the National Planning Policy Framework (the Framework) with regards to conserving and enhancing the historic environment.

Living Conditions

10. The appeal proposal would include a bedroom on the ground floor to the rear of the dwelling. Although this would have a window, it is proposed that this would

use obscured glass to address overlooking onto a neighbouring property. However, the use of obscured glazing would remove the outlook from this room, which would lead to gloomy and oppressive accommodation for occupants. Although bedrooms may primarily be used for sleeping, they also fulfil other functions including relaxation and studying. Whilst the obscured glazing would allow a degree of natural light to enter the room, this would not mitigate for the lack of outlook.

11. The other rooms in the dwelling would be served by windows which would provide a suitable outlook for residents, with further natural light provided by rooflights for the first floor. Whilst the dining area is set back from the kitchen window, the open-plan layout of the room and the use of rooflights would provide suitable accommodation for residents in respect of outlook and light.
12. Notwithstanding my conclusions in respect of other rooms in the dwelling, I conclude that the proposal would lead to significant harm to future residents due to the lack of outlook from a bedroom. The proposal would therefore be contrary to the amenity requirements of policy ENV3 of the Local Plan as well as the Framework with regards to providing a high standard of amenity for future users of development.

Biodiversity and Green Infrastructure

13. The Council states that the proposed dwelling fails to demonstrate how it would increase biodiversity and expand green infrastructure. However, the proposal relates to the conversion and extension of an existing building. Due to the constraints of the site, there is little opportunity to make a meaningful contribution to green infrastructure. Any opportunities that may exist in respect of biodiversity would also be of a limited nature and could be ensured by condition, such as requiring bat or bird nesting boxes as well as environmentally sustainable design.
14. I conclude that due to the constraints of the site and subject to appropriate conditions, the proposal would not conflict with policies ENV3, ENV4 and ENV5 in respect of the consideration of environmentally sustainable design and the effect on biodiversity and green infrastructure.

Whether Suitable Location

15. The Council Officer's report sets out that the site is within a Tier 4a settlement within policy SP4 of the Local Plan, and is therefore in a settlement with basic services where limited housing may be supported. Residents of the proposal would support the vitality and function of the settlement, and whilst this may be to a very limited degree it would comply with the aims of this policy.
16. The Council's decision also refers to an absence of any justification to promote alternative modes of transport or communications connectivity.
17. In respect of transport, whilst the settlement may contain limited services, it has not been demonstrated that the proposal would lead to a proportion of housing growth that would conflict with the spatial strategy of the development plan. On the basis of the evidence before me, the proposal would represent development of a scale which reflects that spatial strategy, and there is therefore no requirement for the appellant to address matters regarding modes of transport.

18. With regards to communications connectivity, there is no evidence that the communications infrastructure in this settlement is inadequate to support further development of this scale. I am mindful of the Council's wish to improve broadband access, but due to the scale of development proposed and its location within an established settlement then I consider it disproportionate to require the appellant to provide further evidence on this matter.
19. Based on the evidence before me, I conclude that the site is in a suitable location for the scale of residential development proposed. The proposal would therefore not conflict with the spatial strategy of policy SP4 of the Local Plan, or policy INF5 with regards to communication infrastructure. The proposal would also not conflict with the Framework with regards to delivering homes with accessible services.
20. Policy SP4 requires housing proposals to accord with other relevant development plan policies. I have found conflict with other policies in respect of the CA and appearance as well as living conditions, and the proposal would therefore conflict with that element of policy SP4. However, this conflict arises due to the specific circumstances of the appeal proposal rather than matters of spatial strategy.

Other Matters

21. The Council's decision refers to conflict with policy INF4 of the Local Plan. However, this policy relates to parking provision and this is not an issue which has been identified in the Council's reasons for refusal. Based on the evidence before me, this matter does not weigh against the development.

Conclusion

22. Notwithstanding my conclusions in respect of biodiversity, green infrastructure and suitability of location, the proposal would conflict with the development plan and the Framework when read as a whole with regards to conserving and enhancing the historic environment as well as achieving a high standard of amenity for future residents. The proposal would therefore not represent sustainable development within the terms of policy SD1 of the Local Plan. There are no material considerations that indicate that the proposal should be determined otherwise than in accordance with the development plan.
23. For the reasons given above, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR