



Appeal Decision

Site visit made on 3 March 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 April 2022

Appeal Ref: APP/E2734/D/22/3293091

Hill House, Fearby, Ripon HG4 4NF

- 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 Michael Mould against the decision of Harrogate Borough Council.
 - The application Ref 21/04098/FUL, dated 15 September 2021, was refused by notice dated 9 December 2021.
 - The development proposed is rear extension to enlarge bedroom and form sitting room and shower room.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character and appearance of the Fearby Conservation Area (FCA).

Reasons

3. The appeal property is a stone built, detached two-storey dwelling. It is located within the Fearby Conservation Area (FCA) that is characterised as forming a rural village with historic buildings in a linear form reflecting its agricultural origin. The appeal property, with the other properties on this section of the road, contributes to providing a bold, linear frontage that includes a particularly pleasing set-back from the roadside, that positively contributes to the character and appearance of the FCA.
4. The appeal property is identified in the Fearby Conservation Area Appraisal (2011) as a building of local interest. These are un-listed historic buildings, which make a positive contribution to the character and appearance of the FCA and are of particular interest locally. There is a general presumption that for buildings of local interest within the FCA, the Borough Council will be especially vigilant when considering applications for alteration or extension.
5. The property has an existing single storey rear extension that spans the width of the property, albeit one side incorporates an open veranda. The extension incorporates a central gable roof and is clad in timber with a copper roof covering. Although it forms an extension to the dwelling, it is unashamedly of its own design.
6. The proposed extension takes its cue from the main body of the host dwelling, utilising stone and slate to match the existing building. It also would form a

continuous slope from the main body of the dwelling before breaking to form a gable roof feature.

7. The Council consider that the proposed extension would disrupt the historic linear form of the host dwelling, which would cause harm to the character and appearance of the FCA. I acknowledge that the extension would depart from this original form, but I find this to be of particularly less significance than the highly appreciable linear form of the frontage. At the rear, the linear form has been eroded through a combination of extensions to buildings and outbuildings. When combined with the limited visibility from public vantage points, I do not consider that the departure from the historic form of the property would cause harm to the character and appearance of the FCA.
8. In terms of its design, however, I find that the proposed extension would sit uncomfortably with the host dwelling and its existing extension. The proposed gable feature and its elongation would unnecessarily compete with the gable feature of the existing extension, resulting in a cluttered and visually jumbled, hotchpotch appearance which would not be aided by the variation of materials that would result. For these reasons, I do not agree with the appellant that it would be a complete balance in design terms.
9. Therefore, although I do not find harm in respect to the departure from the linear form of the property, I do find that the proposed extension by reason of its overall design and appearance, would cause harm, and thereby fail to preserve or enhance the character and appearance of the FCA.
10. The proposed development would therefore be contrary to Policies HP2 and HP3 of the Harrogate Local Plan (2020). These policies require that proposals affecting a conservation area protect and, where appropriate, enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area and its setting; and that development should incorporate high quality building design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments.

Other Matters

11. The appellant has referred to a number of other developments in the village. I do not have full details of these examples to give them significant weight, and I have in any event determined the appeal on its own individual planning merits.
12. I note that the Parish Council were supportive of the application, however no reason was given which limits the weight that can be given. I also note, as the appellant highlights, no objections were received and that the proposed development is not considered to harm either neighbour. Such factors are however of neutral weight in the balance.
13. The Council's reason for refusal refers to the proposed development being insensitive to the landscape in which it sits within the AONB. There is however, limited consideration in the Council's report in terms of this impact, and given it sits within the existing cluster of buildings and outbuildings, its impact in terms of the AONB overall would be limited and not unacceptable.

Planning Balance and Conclusion

14. Having regard to paragraph 202 of the Framework, I find that the harm to the FCA is relatively localised, with limited visibility, and therefore the proposed development would cause less than substantial harm to the significance of the designated heritage asset. I do not, however, find that this harm is outweighed by any public benefits of the proposed development.
15. The proposed development would therefore conflict with the development plan and there are no other considerations, including the Framework, that outweigh this conflict.
16. For the reasons set out above, and having had regard to all other matters raised, I conclude that the appeal should be dismissed.

A M Nilsson

INSPECTOR