
Appeal Decision

Site visit made on 28 June 2022

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 2 August 2022

Appeal Ref: APP/E2734/D/22/3296955

The Old Chapel, Sleights Lane, High Birstwith HG3 2LE

- 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 Gibson against the decision of Harrogate Borough Council.
 - The application Ref 21/04521/FUL, dated 13 October 2021, was refused by notice dated 19 January 2022.
 - The development is described as demolition of car port and store. Alterations to existing attached external store to create additional kitchen space. Proposed side extension to create additional living accommodation.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposed development on the character and appearance of the dwelling; and
 - The effect on the landscape character of the area and the Nidderdale Area of Outstanding Natural Beauty (AONB).

Reasons

Character and appearance of dwelling

3. The appeal site is a former Methodist chapel that has been converted to residential use. It is a prominent building on a road junction within a rural setting in the AONB. The proposal would replace an existing wooden car port and store which are not connected to the host dwelling.
4. The chapel, despite being in residential use, retains the distinctive elements of a former religious building, with its traditional window design and stone crosses on the roof. This is dominated by the main pitched roof and large gable features perpendicular to the roof, plus robust and decorative stonework. These features, as well as the limited garden area with stone boundary walls, railings and landscaping has ensured that the domestication of the site appears minimal. The proposal includes a glazed entrance lobby which would connect the chapel to the pitched roof extension. This would have a vertical rhythm of floor to eaves height windows and rooflights, finished by vertical timber boarding.

5. Whilst the footprint of the proposed extension would not be much larger than the existing structures it would replace, it would have a much higher ridgeline, extending development along the whole length of the eastern side of the site. The design would provide a clear demarcation between the old and the new. However, the height and form of the proposed extension, plus the extensive glazing, which is overly regular in its style, and modern in its form, would interfere with the view of the main chapel, making the domestic use of the site far more obvious which would harm the character and appearance of the former chapel which is distinctive in the local area.
6. The French doors proposed in the north-west elevation would be tucked away in the rear corner of the building and set below the adjoining stone boundary wall. They would be limited in scale and would have restricted visibility and would not harm the character of the building. Similarly, an additional rooflight, above the proposed French doors, to add to the two existing rooflights on this elevation, would cause no harm to the building.
7. Notwithstanding these minor elements of the development which would be acceptable, overall in relation to this main issue, the proposed extension to the dwelling would harm the character and appearance of the dwelling. This would not therefore comply with Harrogate District Local Plan 2014-2035 (adopted 2020) (HDLP) Policy HP3 which seeks to protect and enhance local distinctiveness within the district or, Policy HS8 which only allows extensions to dwellings where there would be no adverse impact to the character or appearance of the dwelling or the surrounding area. Furthermore, Policy HS6 relates to the conversion of rural buildings for housing and this building has already been converted. Policy HS6 does specifically refer to the need for controlling permitted development rights in order to protect the character and of such buildings but there are no direct criteria of relevance here. The Council's Supplementary Planning Document, House Extensions and Garages Design Guide, 2005, (SPD) seeks to ensure that proposed extensions do not have an adverse impact on the character or appearance of the dwelling or the surrounding area which would also not be complied with.

Landscape character

8. The site falls within the Nidderdale AONB. Such areas are designated for the purposes of conserving and enhancing natural beauty, and section 85(1) of the Countryside and Rights of Way Act 2000 places a duty upon me to have regard to these purposes in this decision. Policy GS6 of the HDLP, in summary seeks to ensure proposals do not detract from the natural beauty of the AONB. Similarly, paragraph 170 of the National Planning Policy Framework (NPPF) accords such areas 'the highest status of protection in relation to landscape and scenic beauty.'
9. Despite the fact that the chapel is no longer used for its original purpose, the building and its surrounding curtilage are reminders of the cultural heritage of the area. It is located in a prominent location within a rural setting and has a positive contribution to the character of the area. The position and design of the extension would be highly visible and not sensitive to the qualities of the rural landscape or provide a sense of local distinctiveness. It would therefore not protect but would harm the character of the landscape and the beauty of the AONB. The appellant has cited the examples of the nearby dwellings, Green Acres and Dale Cottage, which despite being extended, were not found to

detract from the special qualities of the landscape. I have no information on the history of these buildings before me, but I did view them.

10. I am also referred to a stable block that has been granted planning permission to the north-east of The Old Chapel. I have few details of this permission. These matters do not have a direct bearing on the proposal before me and do not provide any overriding effects on the character and visual qualities of the area.
11. In terms of the second main issue, the proposal would harm the character of the landscape and the beauty of the AONB. In these respects, this would not comply with Policies HP3 and GS6, and NE4 of the HDLP, the aims of which I have set out above.

Other Matters

12. Whilst I accept that the proposal would be beneficial to the occupants of The Old Chapel by virtue of the provision of additional floorspace, that is essentially a private benefit rather than one sufficient to outweigh the public planning harm that would result.

Conclusion

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

M J Francis

INSPECTOR