



Appeal Decision

Site visit made on 24 May 2023

by M J Francis BA (Hons) MA MSc MCIfA

an Inspector appointed by the Secretary of State

Decision date: 11 July 2023

Appeal Ref: APP/E2734/W/23/3316963

31A York Place, Knaresborough, North Yorkshire HG5 0AD

- 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 T Reynolds of Loca Shading Designs Ltd against the decision of Harrogate Borough Council.
 - The application Ref 22/04602/FUL, dated 30 November 2022, was refused by notice dated 25 January 2023.
 - The development proposed is erection of a retractable canopy structure to forecourt area. Replacement glazing treatment to existing frontage. Creation of new entrance door in West elevation.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. At the time of the site visit, the replacement glazing to the existing frontage was as shown on the proposed plans.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the building and the Knaresborough Conservation Area.

Reasons

4. The appeal site is a detached, brick building with a hipped, tiled roof. It is located on a corner plot adjoining an access road that leads to a public car park to the rear. Adjoining the site is a medical centre, whilst on the opposite corner of the access road is the Marquis of Granby Inn.
5. The building is set back from the pavement fronting York Place, the A59, which leads into the centre of Knaresborough. At the time of the site visit, the building was occupied by a fish and chip shop. Doors on the front elevation provide access to the building and to a small courtyard, bounded by a brick wall. The courtyard had outdoor tables and seating with sun umbrellas.
6. The proposal would extend the low brick wall to the front of the site so that it aligns with the edge of the pavement and the front boundary of the adjoining surgery. It would be covered by the retractable canopy roof with fixed glazed windows and emergency exit doors to the front, an emergency exit and sliding glass panels in the side elevation facing towards the access road and a timber clad side elevation facing towards the forecourt of the surgery. A new double

entrance door would also be added to the side elevation of the existing building.

7. The site is adjacent to, but outside the Knaresborough Conservation Area. This is a large conservation area which includes the castle built overlooking the River Nidd and the historic development of the town around this. Paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. This includes the effect of the development within its setting such as the proposal before me.
8. The conservation area adjacent to the appeal site lies either side of York Place, and includes the tree lined public open space, separated and raised above York Road by a stone wall. It also includes the Marquis of Granby Inn, an imposing brick building which is a building of local interest and can therefore be considered a non-designated heritage asset (NDHA). The significance of this part of the conservation area is that it is the eastern route into the historic centre of the town and is lined by historic buildings, including a number of three storey listed buildings of 18th and 19th century date.
9. Although the proposal would only be single storey, the curved roof structure and profile would cover the whole of the front elevation, and this and the glazing along the west elevation would not match the design and materials of any adjoining buildings. Instead, it would elongate a building that already has a long side elevation, creating a prominent, discordant structure, highly visible from the adjoining road. The use of timber cladding along the east elevation, again would be untypical of materials within the vicinity, and unsympathetic to the general character of the area.
10. Whilst the Marquis of Granby and buildings westwards towards the centre of town are aligned along the pavement edge, on the opposite side of the junction where the proposal site is located, the alignment of buildings is different. Here the appeal site is set forward of the medical centre, which in turn is forward of the houses that are located along this side of York Place. These have large parking areas and gardens to the front. From the east, the small trees and bushes growing in the front gardens, and seen at the time of my site visit, would mean that the proposal would not be obvious until almost adjacent to it. However, approaching it from the other direction, despite it being a lightweight, high quality, glazed canopy, it would be a visually incongruous structure in this location, at odds with the character of other building forms in this area.
11. Whilst the host building has no particular architectural merit, its distinctive hipped roof and position at the junction of York Place with the car park, makes it highly visible. Therefore, despite the difference in the siting, orientation and separation of the appeal site from adjoining buildings, for the reasons set out above, the proposal on the front elevation of the building would harm the character and appearance of the building and the area.
12. Although the access road provides clear separation between the proposed site and the Marquis of Granby Inn, the proposal, when viewed against the high flank wall of the public house, would therefore cause some harm to the significance of this NDHA. Likewise, the proposal would cause some visual intrusion which would harm the approach to the Knaresborough Conservation

Area, which forms part of its setting. In the terms of the Framework, this would be less than substantial harm to the significance of the designated heritage asset. However, in line with paragraph 202 of the Framework, any harm should be weighed against the public benefits of the proposal.

13. The identified benefits of the proposal are the improvement to the socioeconomic contribution of the restaurant use as part of the property. However, it has not been shown that any such benefits from the development would be more than private benefits to the occupier of the property and the restaurant environment of its customers. In any case, even if they were taken as public benefits, they do not outweigh the less than substantial harm to the significance of the designated heritage asset that I have identified.
14. Having regard to all of the above, I conclude that the proposal would harm the character and appearance of the building and the setting of the Knaresborough Conservation Area. The proposal, therefore, would not accord with Harrogate District Local Plan Policy HP2 which states that development affecting heritage assets, both designated and non-designated, should be determined in accordance with national policy; and Policy HP3 which requires high quality building design that protects and enhances the characteristics, qualities and features that contribute to the local distinctiveness of the district. The policies are consistent with the Framework and there is associated conflict in that respect.

Conclusion

15. The proposed development conflicts with the development plan when considered as a whole and the material considerations do not indicate that the application should be determined otherwise than in accordance with the development plan.
16. For the reasons given above, I conclude that the appeal is dismissed.

M J Francis

INSPECTOR