



Appeal Decision

Site visit made on 21 November 2023 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett MRTPI, DipTP, BSc (Hons)

an Inspector appointed by the Secretary of State

Decision date: 4 April 2024

Appeal Ref: APP/C9499/D/23/3326880

2 Fell View, Appletreewick, Skipton BD23 6DB

- 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 A Mason against the decision of Council of the Yorkshire Dales National Park Authority.
 - The application Ref C/02/124B, dated 16 February 2023, was refused by notice dated 10 May 2023.
 - The development proposed is a single storey front extension.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.
3. A revised National Planning Policy Framework (the Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.

Main Issues

4. The main issues are the effect of the development on:
 - the character and appearance of the surrounding area with particular regard to the host property and the character and appearance of the Appletreewick Conservation Area; and
 - the living conditions of the occupants of 1 Fell View with particular regard to light and outlook.

Reasons for the Recommendation

Character and appearance

5. The appeal site is located within the Appletreewick Conservation Area (the 'CA'). The character of the CA is derived from stone-built buildings of different sizes with traditional design and detail which line the steep main road. These

have a semblance of traditional farm buildings and are devoid of any contemporary designs. Thus, they present a rural setting. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require me to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.

6. The appeal property itself is a semi-detached two storey dwelling. It is accessed via a track positioned between the houses fronting the main road. It forms part of a symmetrical terrace of four stone-built cottages which are separated in blocks of two, with the appeal property and 1 Fell View forming a pair. The terrace's vernacular character and appearance is such that it has assimilated into the surrounding area and is appropriate to its rural context. It is for these reasons that I consider that the appeal site contributes positively to the character of the CA.
7. Both 1 and 3 Fell View have glazed porch structures on their respective front elevations. However, these are of a small scale and cover only a part of the façade at ground floor level. Thus, they do not significantly detract from the contribution that the terrace makes to the CA.
8. The proposed extension would extend to almost full width of the appeal building. It would have aluminium bi-fold doors and three roof lights within the roof slope. In my view, it would appear as a large and dominating feature on the frontage of the building, that would not respect the architecture and proportions of the original dwellinghouse. This harm is exacerbated by the extent of the glazing which doesn't reflect the existing fenestration. It would also contrast with the neighbouring porches by virtue of its size and more contemporary design.
9. In coming to the above view, I acknowledge that the properties along Fell View are relatively well screened from public view due to the positioning of the terrace behind the roadside houses, my observation on visiting the site is that there are partial views from the main road through the curtilage of Croft House, and the properties sit on an elevated position. They will also be seen from local views from the access and the neighbouring properties. All in all, the proposed extension by virtue of its design, form, scale and siting would be harmful to the character and appearance of the host dwelling and the cohesive design of the group of buildings. The introduction of the more contemporary design of the proposed extension would sharply contrast with the traditional character of the surrounding area which would be harmful to the character and appearance of the CA.
10. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of designated heritage assets, great weight should be given to their conservation. Given that the proposal would be of a relatively small scale, I find the harm to the CA to be less than substantial in this instance but nevertheless of considerable importance and weight.
11. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal. I am also conscious that for the non-designated heritage asset, paragraph 209 sets out that the significance of the asset should be taken into account in determining an application and that a balanced judgement will be required having regard to the scale of harm. In this case, I have found harm to 2 Fell View itself to which I assign considerable weight.

12. The proposal would provide improvement of living space of the occupants with additional space to serve as a playroom. However, this social benefit is limited to the appellant's enjoyment or that of any future occupants of the property. Therefore, when taking into account this limited benefit, the appeal proposal would not provide any public benefit which would outweigh the harm I have identified in respect of the character and appearance of the CA. Similarly, taking a balanced judgement on the impact to 2 Fell View, the level of harm is much greater than the benefits which the proposal would deliver.
13. Taking all of the above into account, the proposal would harm the character and appearance of the area, the CA and the host property itself. The introduction of development in this location, would fail to recognise the traditional character of the existing dwelling and the intrinsic rural character of the countryside. The development would conflict with the Framework and policies SP1, SP2, SP4, L1 of the adopted Yorkshire Dales Local Plan (2015-2030) (the LP) which together seek to ensure that development design is informed by, and responds positively to the site, its surrounding context and landscape setting, so that the scale, height, proportions, massing, form, materials and appearance of buildings and structures are sympathetic and complementary, and it conserves or enhances the historic environment and helps secure a sustainable future for the assets at risk.

Living Conditions

14. The proposed extension would extend to almost the full width of the appeal property and would be very close to the boundary with 1 Fell View. There is a south facing ground floor window at 1 Fell View which serves a habitable room.
15. Given the position of the proposed extension, and its juxtaposition in relation to sunrise through to sunset, it would inevitably have some impact on the availability of sunlight to this habitable room during the morning. However, such an impact would not in my view be significant in the context of the entire day. Similarly, I consider that there would not be a significant impact on the availability of daylight given the extensions overall height and size.
16. Turning to matters of outlook, the proposal would extend along the boundary with No.1 by around 3.7 metres. To my mind, the extent of the projection of the extension, in combination with its overall height, would not result in an overbearing impact to the occupiers of No.1 when looking from the front window or utilising their front garden.
17. The Council have referred to Policies SP1, SP2 and L1 of the LP in their living conditions reason for refusal. However, none of these policies are particularly relevant to this main issue. I therefore give them little weight in my recommendation.
18. In conclusion, I find that the proposed single storey front extension would not give rise to an unacceptable level of harm to the living conditions of the residents of 1 Fell View. Consequently, the proposal would accord with Policy SP4 of the LP which requires amongst other matters that proposals for new development respects the amenity of neighbours and the adequate level of amenity for its future occupants in relation to nearby uses.

Other Matters

19. The appellant has raised concerns regarding the use of delegated powers by the Council in deciding the planning application which is subject of this appeal. However, these concerns do not have any bearing on the planning merits of the proposal, and I therefore give this very little weight in my recommendation.

Conclusion and Recommendation

20. The proposal would adversely impact the character and appearance of the host dwelling which is a non-designated heritage asset. It would not preserve nor enhance the character and appearance of the CA. Given this, the proposal would conflict with the development plan as a whole and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
21. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

22. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR