



Appeal Decision

Site visit made on 08 May 2024

by Sarah Manchester BSc MSc PhD MEnvSc

an Inspector appointed by the Secretary of State

Decision date: 04 June 2024

Appeal Ref: APP/U2750/W/24/3337542

24 High Street, Gargrave, Skipton, North Yorkshire BD23 3RN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr Philip Carrol against the decision of North Yorkshire Council.
 - The application Ref is 2023/24793/FUL.
 - The development proposed is a new dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework (the Framework) was published on 20 December 2023 and it is a material consideration in the determination of this appeal. As it was published before the appeal was made, I am satisfied that the parties would have been aware of it and therefore the interests of the parties would not be prejudiced by the changes.
3. As the proposal is in a conservation area and it affects the setting of a listed building I have had special regard to sections 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).

Main Issue

4. The main issue is the effect of the proposal on the character and appearance of the area, bearing in mind the special attention that should be paid to the desirability of preserving the setting of the nearby Grade II listed buildings, "The Old Swan Hotel" (Ref: 1132088) and "Story's House" (Ref: 1316860) (LB1 and LB2 respectively), and the extent to which it would preserve or enhance the character or appearance of the Gargrave Conservation Area (the CA).

Reasons

5. The CA stretches from the railway line in the south to beyond the Leeds and Liverpool Canal in the north. It includes the densely developed historic settlement to the north of the River Aire together with the more open and sparsely developed land around the river and to its south. High Street is the main thoroughfare and its urban residential character derives from the primarily 2-storey buildings, predominantly terraces, that line the roadsides. The townscape is unified by its vernacular architecture and traditional materials. The hard-built environment is softened by the green spaces and trees along the river corridor and scattered through the townscape to the rears of buildings. Given the above, I find that the significance of the CA, insofar as it

relates to this appeal, to be primarily associated with the traditional pattern of development including layout, building styles and materials.

6. LB1 is a public house (PH) that dates from the 18th or early 19th century. In contrast to the more modest 2-storey surrounding townscape, the PH is an imposing 3-storey 3-bay building with a rear range. It occupies a large plot, comprising a garden area and carparking, in a prominent corner location. Insofar as it is relevant to the appeal, I find that its open setting contributes to the special interest of LB1 as a prominent example of an early public house in a rural settlement.
7. LB2 is a house and former schoolroom dating from 1828 and built for a local author. It is a 2-storey building in coursed rubble with a stone slate roof. The projecting left hand bay closest to the PH was the schoolroom and it is separated from the access that serves the appeal site by a tall stone wall that encloses the side and the large rear garden of LB2. Insofar as it relates to the appeal, the special interest of LB2, as supported by its setting, relates to its enclosed curtilage and central village location.
8. The appeal site is an irregularly shaped parcel of land formed from part of the terraced property garden to the rear of 22a and 24 High Street, the parking area to the rear and the existing access from North Street between the car park of LB1 and the side boundary of LB2. It is unobtrusively sited and largely enclosed by the rears of the listed buildings, the historic terraced properties along High Street, the village hall and St Robert's Close Properties.
9. The proposal would be a 2-storey dwelling with a small garden, extensive hardstanding carparking to serve 2 properties and a pedestrian access along the side boundary between the carparking and the rear of the terrace. The dwelling would be sited towards the front of the plot which is formed from part of the narrow garden of a mid-terrace property. As a result of the constraints of the appeal site, the dwelling would have a long and narrow footprint.
10. The 2-storey side gable elevations would be unremarkable in the context of buildings elsewhere. However, the narrow front and rear elevations would be conspicuously out of proportion in the context of a detached dwelling widely separated from neighbouring dwellings. While the dwelling might be similar in size and scale to terraced properties, it would be isolated in the rear gardens and it would not be read as part of a terrace. Irrespective of its gables, chimney stack and external materials, the proposal would not be sympathetic nor well-related to the surrounding historic townscape. The contemporary, narrow detached building would be an incongruous and discordant feature that would not contribute positively to sense of place or local distinctiveness.
11. The parties agree that there is a historic relationship between LB1 and LB2, albeit that they are widely separated from each other. Viewed from North Street, the gap between the listed buildings affords views of the open car park of the PH in the foreground, the low garage and timber fencing to the rear of the car park and the extensive area of leafy garden land beyond. While the hardstanding car parking and the garage may make a negative contribution to the CA and the setting of the LBs, nevertheless the openness of the land reflects the historic layout and relationship of the buildings. Moreover, the verdant garden land and mature tree canopies to the rear of the High Street properties contribute positively to the character and appearance of the area.

12. The heritage assessment notes that the area around the junction of North Street and High Street affords key views of the CA, the village streets and the LBs. In this regard, the proposal would not be prominent in views from High Street but it would be readily visible from North Street, from locations in and around the PH car park. Currently, the verdant tree canopies in the background draw the eye beyond the carparking with its modest garage and timber fencing. However, the large gable end of the proposal would interrupt and truncate the long views. The proposal would be a visually obtrusive feature between the LBs and it would increase the prominence of the foreground, with car park and garage, in townscape views. The unusual dwelling would not harmonise the gap between the LBs and it would detract from the setting and thereby the significance of the LBs. Moreover, as it would be prominent in views, it would be capable of harming the character and appearance of the CA as a whole.
13. My attention has been drawn to backland development elsewhere, including St Robert Close and Mickle Hill Mews. These are in the CA, but there is little evidence of any close relationship to listed buildings. They appear to be larger developments comprising relatively traditional properties in cul-de-sac or courtyard settings. Irrespective of whether or not those schemes successfully integrate into the historic environment, they are not directly comparable to the proposed single dwelling in the rear garden of a terraced property and they do not provide a justification for it.
14. Given the above, I find that the proposal would fail to preserve the settings of the listed buildings and the significance of the CA. Consequently, I give this harm considerable importance and weight in the planning balance of these appeals.
15. Paragraph 205 of the Framework advises that when considering the impact of development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Paragraph 206 goes on to advise that significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting and that any such harm should have a clear and convincing justification. Given the scale of the proposal, I find the harm to be less than substantial in this instance but nevertheless of considerable importance and weight. Under such circumstances, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal.
16. The dwelling would make a small contribution to the supply of housing. As market housing, there would be little guarantee it would be occupied by local young families or the elderly. There would be limited economic benefits during construction. Future occupants would make a limited contribution to the local economy and the community. Other factors, including the settlement location, absence of harm to highway safety, tree protection and replacement planting are neutral factors. The limited public benefits are not sufficient to outweigh the harm that I have identified.
17. Given the above, I conclude that, on balance, the proposal would fail to preserve the setting of the Grade II listed buildings and the character or appearance of the Gargrave Conservation Area would be neither conserved nor enhanced. This would fail to satisfy the requirements of the Act, paragraph 205 of the Framework and conflict with Policies ENV2 and ENV3 of the Craven Local

Plan 2012 to 2032 Adopted November 2019 and Policies G5, G6 and G7 of the Gargrave Neighbourhood Development Plan. These require, among other things, that proposals conserve and enhance heritage assets, that they are well designed, respect the scale, height and massing of their surroundings and respond positively to local context and local distinctiveness. As a result, the proposal would not be in accordance with the development plan.

Other Considerations

18. The plans do not clearly illustrate the relationship of the dwelling to the neighbouring plots and properties. However, the dwelling would be close to the side boundaries of the neighbouring gardens to either side and there would be first floor windows facing the rear of the terrace. The Council is satisfied that the dwelling would not result in unacceptable shading to neighbouring gardens or loss of privacy. The proposal would not shadow the garden of No 26 to the south. However, I note the neighbours' concerns in relation to overshadowing to the garden of No 22 and the overbearing effect of the extent of 2-storey gable end walls close to the garden boundaries. However, as I am dismissing the appeal, this is not a matter that I need to consider further.
19. Planning permission (5/30/8/A) was granted in 1982 for the erection of a bungalow and car port on land behind the Old Forge. This appears to be in a broadly similar location to the appeal site, although it appears to relate to a larger area of land. No plans have been provided to illustrate that the historic permission would be directly comparable to the 2-storey appeal proposal. Irrespective, the earlier application was considered in a different policy context and the permission is lapsed. Consequently, it is not a fallback position at this site and it does not provide a justification for the proposal.

Conclusion

20. For the reasons set out above, I conclude that the proposal would conflict with the development plan and there are no other considerations that would outweigh that harm.
21. Therefore, I conclude that the appeal should be dismissed.

Sarah Manchester

INSPECTOR