



Appeal Decisions

Site visit made on 30 July 2024

by G Bayliss BA (Hons) MA MA MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 12 August 2024

Appeal A Ref: APP/C9499/W/24/3340078

Salisbury House Main Street, Askrigg, North Yorkshire DL8 3HG

- 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 Paul Turner against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is R/50/222.
 - The development proposed is extension and alterations.
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Appeal B Ref: APP/C9499/Y/24/3340083

Salisbury House, Main Street, Askrigg, North Yorkshire DL8 3HG

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) against a refusal to grant listed building consent.
 - The appeal is made by Mr Paul Turner against the decision of Yorkshire Dales National Park Authority.
 - The application Ref is R/50/222A/LB.
 - The works proposed are extension and alterations.
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Decision

1. Both appeals are dismissed.

Preliminary Matters

2. There are two appeals on this site. They relate to the planning application and listed building consent for the same scheme. To avoid duplication, I have dealt with them together, except where otherwise indicated.
3. I have taken account of the recently published Written Ministerial Statement entitled 'Building the homes we need' and the consultation draft on the National Planning Policy Framework (the Framework). In relation to these appeals, I am satisfied that in this instance, these matters do not fundamentally affect the substance of the matters under appeal.

Main Issue

4. The main issue is whether the proposal would preserve the special architectural or historic interest of the Grade II listed building (known as Salisbury House and railings, Ref.1157347) and its effect on the character and appearance of the Askrigg Conservation Area.

Reasons

5. As a decision-maker, I must consider these appeals in light of the statutory duties placed upon me under sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) which require that

special regard shall be had to the desirability of preserving a listed building or its setting or any features of special architectural or historic interest which it possesses, and special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area. Paragraph 195 of the National Planning Policy Framework (the Framework) advises that heritage assets are an irreplaceable resource and should be conserved in a manner appropriate to their significance.

6. Salisbury House was formerly two dwellings, now one, and stands prominently on Main Street, and is in the Askrigg Conservation Area (CA). The list description details the materials and architectural detailing of the front and rear elevations of these early 19th century properties. It is notable from this description that the two buildings are different in their appearance and character, with the house to the left of three storeys with a central, panelled door, sash windows to either side and characteristic classical detailing representative of a town house. The set-back house to the right is of two storeys and is of a much more diminutive scale and proportions. The list description comments that this part of the building has a boarded door with flanking sash windows and a pitching door with cart entry below. In many respects it is much more representative of a cottage with evidence of an ancillary use for stabling and feed storage.
7. From the details available to me, including the list description, and my own observation, I consider that the special interest and significance of the listed building, insofar as it relates to these appeals, is predominantly derived from its age, form, historic fabric, detailing, and function. The plan form and details of the two distinctive parts of the listed building contribute to that significance. This contrasting character can also be clearly read on the rear elevation, with the town house having windows of vertical sash proportions and a round-arched landing window with a central door leading out to an enclosed rear garden. The cottage alongside has a rubble stone wall devoid of openings except to its ancillary structures connecting to the outside and a clearly expressed rear stack. This reflects, in my experience, the more functional nature of the building.
8. Within the buildings these clear differences are also identifiable from their layout, room proportions, and detailing. The town house has a central, grand staircase leading to well-proportioned rooms with typical classical detailing seen in its landing window, the panelled doors, joinery surrounds, and fireplaces. The cottage has a planer interior with a more irregular floorplan and utilitarian detailing including plank doors, simply expressed hearths, a tight winding staircase and fittings associated with stabling and storage of feed, and ancillary residential uses.
9. It was quite apparent from my visit that the state of survival of many of the internal features within the building as a whole is quite remarkable, so much so that the way that the two buildings have historically functioned is still clearly legible internally. Consequently, the interior contributes a great extent to the special interest and significance of the listed building.
10. The CA centres on the historic centre of the market town with its church and marketplace being key focal points, as well as the tightly grouped historic properties and plot boundaries lining its roads and passages. The listed building is prominently situated within the CA, located mid-way along Main Street. The

street scene in the vicinity of the appeal site comprises a largely continuous, gently winding frontage of buildings of cohesive character in terms of building heights, ages, materials and detailing with a predominantly residential use. Overall, the area is picturesque, exhibiting a wealth of historic properties, including the appeal premises, and a streetscape of high heritage value. Based on my observations, I consider that the character and appearance of the CA, and its significance, is mainly drawn from the range of built development within it, and the relationship of the buildings to each other and the spaces around them. A key element of the area is a coherence of building form, materials, and traditional architectural detailing.

11. The applications propose an extension to the rear of the cottage to provide a living/dining space, internal and external alterations throughout the building, together with a comprehensive scheme of repairs and modernisation.
12. The rear extension would extend across the full width of the two storey cottage and be of a lean-to form with central projecting gable incorporating a large, glazed, arched opening. It would be constructed in coursed random rubble stone with stone detailing, buff concrete slates and aluminium door and window frames.
13. Considering the size and scale of the existing cottage, the proposed extension would be a considerably large addition. It would approximately double the floor area of the main two storey building and project out markedly into the rear garden area. Although of only single storey it would be over-large in relation to this cottage and not appear subservient to it. Furthermore, although there would be few physical changes to the blank, rear wall, I have found that this wall is a characteristic feature of the appearance and function of the building. The dominant glazed features would be distinctly at odds with that character, confusing its legibility. The extension would also seriously disrupt and undermine the visual relationship of this building with the adjoining town house, disrupting the clear differences between the classical town house and functional, utilitarian simplicity of the cottage. Furthermore, it is not clearly demonstrated how the proposed materials including concrete roof slates and aluminium door and window frames would integrate with those of the existing building.
14. The extension would therefore read as a large, incongruous enlargement of the cottage, blurring the separate and distinct character between the two buildings and would unnecessarily distract and draw the eye. It is suggested that the extension would be a contemporary addition and have a vertical emphasis, but there still needs to be a visual sympathy which compliments the host building, and this has not been achieved. There may well be other large extensions to buildings nearby, but I have inadequate information before me to demonstrate that these circumstances are comparable to the appeals before me.
15. The proposed internal works would extend across all floors of the building, including the roof spaces. The heritage statement, even in its revised form, contains little detailed assessment of the layout and function of different parts of the building, and its internal features, which would be an essential starting point to help understand the building's significance. Whilst I note that the level of detail provided may be acceptable for some listed buildings and their proposed changes, most heritage assets and proposals affecting them typically present a unique set of circumstances. In this regard, the Framework states

that the level of detail should be proportionate to the asset's significance and sufficient to understand the potential impact on that significance. Given the scale of the changes proposed, and the sensitivity of the building including its interior, a more thorough understanding of the special interest and significance of the building is required. Alongside, detailed specifications of the works proposed are needed to be able to assess the likely impact, together with a justification for them if necessary.

16. I recognise that the appellant has made some beneficial amendments during the determination of the applications, including proposing a limecrete floor and breathable insulation, and retaining some features. However, overall, the proposal still lacks the depth of understanding and the detail required. So much so, that many of the details which are before me suggest potentially harmful works which are not adequately justified, such as replacing historic sash windows and agricultural openings with double glazed units and removing many of the internal features of the cottage, such as the stalls and cobbled floors and altering the floorplan, which diminishes the expression of its original function and form. In the town house, the scheme proposes the replacement of panelled doors with fire doors and there is an inadequate assessment of the works necessary to convert the top floor of the town house including details of a staircase, any necessary strengthening of the floor and treatment of walls and ceilings, and a justification for all the rooflights, especially to the front elevation. These matters could not be controlled by conditions because the nature and scale of the works are unclear and such information may not successfully mitigate the impact on the building's special interest and significance.
17. All in all, I find that the proposal would harm the building's special interest and significance. Whilst I share the Council's view that the proposed extension would have a negligible impact on the CA due to its limited public view, I have concerns regarding the possible harm arising from the proposed rooflights and the replacement windows. These have the potential to harm the wider character and appearance of the CA.
18. Considering all of the above, I find that the proposal would not preserve the special architectural or historic interest of the Grade II listed building and it would have a harmful effect on the character and appearance of the CA. Therefore, the expectations of the Act are not met. Paragraph 205 of the Framework advises that when considering the impact of proposals on the significance of designated heritage assets, 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 those assets and any such harm should have a clear and convincing justification. I find the harm in the context of the significance of the heritage assets, in the language of the Framework, to be less than substantial in this instance. This commands considerable importance and weight and is not to be treated as a less than substantial objection to the proposal.
19. Where a proposal will lead to less than substantial harm to the significance of a designated heritage asset, paragraph 208 of the Framework advises that this harm should be weighed against the public benefits of the proposal, including, where appropriate, securing its optimal viable use.

20. The appellant suggests that the number of bedrooms dictates that the building needs a large kitchen to provide modern facilities and a large space for occupants to gather. However, it has not been clearly explained what the proposed use would be to justify this scheme, and to demonstrate that the building's long-term use or its conservation is dependent on this proposal, or that it represents the building's optimal viable use. Furthermore, there may be alternative ways of achieving the proposed use without the harm identified. In this regard, the proposal carries limited weight as a public benefit.
21. The appellant advises that the property has been empty for several years and needs comprehensive repair and upgrading. If correctly detailed and specified, these works would clearly be beneficial to the conservation of the listed building and would no doubt assist in securing its long-term future. However, there is little information before me to suggest that these repairs would not take place in the absence of this proposal or that any of them are over and above the level of repairs which would typically be undertaken to a listed building. It is also unclear to me how the repairs and upgrading, even if adequately specified, would be secured alongside the proposed extension and alterations or why these works could only be achieved if permission is given for them. As such, although worthwhile, I give only moderate weight to these public benefits.
22. There would be some economic benefits arising from the repair and construction works. There would also be economic and social benefits arising from the activities of the occupants within the local area. However, these benefits would be limited given the scale of the proposal.
23. The proposal would clearly be beneficial to the appellant's aspirations for creating a more liveable and functioning building with more bathroom facilities, improved circulation, and better connectivity to the garden. However, I regard these as private rather than public benefits.
24. Overall, therefore, having considered all the public benefits and the weight attributed to them, I conclude that they would be of insufficient weight to outweigh the great weight to be given to the harm to the designated heritage assets. As such, the proposal would not comply with the Framework. In addition, there is no clear and convincing justification for the harm to the significance of the designated heritage assets. Consequently, the proposal would not comply with Policy L1 and SP4 of the Yorkshire Dales National Park Local Plan (2016) in so far as they are relevant to these appeals. These policies, amongst other things, seek to protect and enhance the significance of heritage assets. The proposal would also conflict with the statutory purposes of the National Park, expressed in policy SP2, which include the conservation and enhancement of its cultural heritage. I have omitted Policy L3 stated in the planning permission decision notice which the Authority confirms was cited in error. As a result, the proposal would not be in accordance with the development plan as a whole.

Other Matters

25. As the proposal involves partial demolition of elements of the building, the Authority were required to consult Historic England and the National Amenity

Societies¹. These responses assist and strengthen the decision-making relating to significant works to listed buildings.

26. I have taken account of the appellant's concerns about the handling of the applications and lack of negotiation time. These matters, however, are for the Council and do not alter my findings on the main issue.

Conclusion

27. For the above reasons, and having regard to all other matters raised, I conclude that both appeals should be dismissed.

G Bayliss

INSPECTOR

¹ The Arrangements for Handling Heritage Applications -Notifications to Historic England and the National Amenity Societies and the Secretary of State (England) Direction 2021.