
Appeal Decision

Site visit made on 29 November 2016

by Louise Nurser BA (Hons) Dip UP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 15th December 2016

Appeal Ref: APP/E2734/D/16/3159331

Little Studley, 15 Little Studley Road, Ripon, North Yorkshire HG4 1HD

- 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 Chris Greenall against the decision of Harrogate Borough Council.
 - The application Ref 15/05670/FUL, dated 7 December 2015, was refused by notice dated 12 September 2016.
 - The development proposed is side and rear two storey infill extension to south end, replacing existing single and two storey side extensions. Two storey rear extension to north end of east elevation. Replace glazing and doors to existing single storey front extension.
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Decision

1. The appeal is dismissed.

Procedural matter

2. Following my site visit I was provided with a copy of a Tree Preservation Order which relates to trees within the garden of the property. As I understand that this was copied directly to the appellant, I have accepted the schedule.

Main Issues

3. The main issues in this appeal are: the effect of the proposed development on the character and appearance of the host building; and the effect on the living conditions of nearby residents, with particular reference to privacy.

Reasons

4. The host property is a large, traditional brick built property with a slate roof. It has been extended several times. However, apart from a two storey extension which is in keeping with the original property, whilst some of the detailing of the extensions are not in character with the main body of the house, the extensions are clearly subservient to the main house. Due to the topography of the site the dwelling sits in an imposing position.
 5. The proposed development would result in substantial alterations to the existing property, including a first floor side extension, a mono pitch roof at ground floor level at the northern end of the house, as well as two substantial two storey extensions to the rear of the property.
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6. A gable roof is proposed at the front of the property. Its ridge line would be only marginally lower than that of the main body of the house. Due to the height and width of the gable, together with the floor to ceiling fenestration which would almost extend the width of the gable and wrap around the corner of the property, the northern end of the house would compete with the 'main' element of the dwelling. Consequently, the front elevation of the appeal proposal would not be seen as subservient to the original development.
7. The rear of the property is characterised by simple lines, relatively few windows to wall area, and plain roof treatments notwithstanding the single storey kitchen which projects to the rear of the house. The proposed development includes two, two storey rear extensions located at either end of the original house, both of which are to include gables, whose width is greater than the depth of the original property. Consequently, the proposed development would be out of scale with the host property. Moreover, the detailing including the use of set in gable features, and the introduction of two new doors, including one at first floor level to serve the balcony, and a monopitch roof feature stretching across the middle of the dwelling would be out of character with the existing unfussy rear elevation.
8. As a result of the height and width of the northern extension the original host property would be almost completely obscured. From the south, the two rear extensions which are of different depths would project out of the original body of the house and due to their scale appear to dominate the host property. Moreover, the proposed detailing, which is not in character with the existing property would have a suburbanising impact.
9. I am aware that the appellant wishes to provide further living space and to rationalise the previous extensions to provide more useable space, whilst at the same time introducing contemporary design. I note that the use of modern design solutions, subject to according with general design principles, is supported within the Council's House Extensions and Garages Design Guide: A companion to the Residential Design Guide adopted 2005, (SPD). The SPD provides further guidance relating to saved Policies H15 and HD20 of the Harrogate District Local Plan adopted 2001 (LP). This has been the subject of consultation and I therefore accord it substantial weight.
10. However, as set out above the proposed development would not respect the local distinctiveness of the host property. Nor does it appear subservient to the original house, in terms of scale and massing, and as a result of the introduction of different roof planes and the design and placing of the new windows and doors; it would have a detrimental impact on the character and appearance of the dwelling. As such the proposed development would be at odds with the SPD, and would run contrary to the design principles contained within the Framework, Policy EQ1 of the CS, and saved Policies HD15 and HD20 of the LP, to promote good design.

Living Conditions

11. The distances between the balcony and windows of the proposed extension and the garden of the properties to the rear fall below the 7.5 m guidance set out in the SPD. However, I took the opportunity to consider views from the northernmost existing bedroom. I have also taken into account the changes in levels between the mature gardens of both properties, as well as the impact of the trees, tall evergreen hedging and shrubbery and come to the conclusion

that the views from the balcony and the new windows within the two gable extensions to the rear of the property, would not result in a detrimental impact on neighbouring residents' enjoyment of their garden as a result of loss of privacy from overlooking.

12. Therefore, I conclude that the appeal proposal would not adversely impact on the enjoyment by its occupants of the rear garden of number 4 Little Studley. Consequently, in this respect it would not be contrary to Policy SG4 of the CS and saved Policies H15 and HD20 of the LP, which require developments to protect the privacy of occupants of neighbouring properties.

Other matters

13. I note that the appellant is concerned about the way in which the Local Authority handled the planning application, and the length of time taken to determine it. I have also taken into account the appellant's wish to increase the living space within the house, and the planning history of the site, together with the lack of objections from neighbouring residents. However, these matters are not determinative in my consideration of the appeal.

Conclusion

14. I have concluded that the proposed development would not have a detrimental impact on the living conditions of neighbouring residents. However, I have identified significant harm in relation to the impact on the character and appearance of the host building.
15. For the reasons set out above I conclude that the appeal should be dismissed.

L. Nurser

INSPECTOR