

Appeal Decision

Site visit made on 14 March 2017

by Graeme Robbie BA(Hons) BPI MRTPI

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

Decision date: 4 April 2017

Appeal Ref: APP/E2734/W/16/3165325

land adjacent to 8 Meadow Drive, Harrogate HG1 3LD

- 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 Teggin against the decision of Harrogate Borough Council.
 - The application Ref 6.79.2609.C.FUL, dated 19 May 2016, was refused by notice dated 13 October 2016.
 - The development proposed is the demolition of garage and erection of a bungalow with room in roof.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposed development on:
 - The living conditions of occupiers of properties on Chaucer Green, with particular regard to outlook and privacy; and
 - The character and appearance of the surrounding area.

Reasons

Living Conditions

3. The appeal site is a small triangular piece of land between the side of 8 Meadow Drive and the rears of the short residential terrace of Chaucer Green. The site itself is broadly level, although the short rear gardens of the Chaucer Green properties are set at a lower level than the site, and also slope downwards, the net effect being that the appeal site is noticeably higher than the rears of these properties.
 4. The proposed dwelling would not be a particularly large building in the context of others on Meadow Drive. Whilst the L-shaped building footprint would respond reasonably well to the awkwardly shaped site, there would only be minimal circulation space around the perimeter of the building, particular along the site's rear boundary. Here, it would be sited close to the rear of the site and, in turn, close to the rear gardens and rear elevations of properties on Chaucer Green.
 5. The rear and flank elevations of the main element of the building, whilst not fully two storeys in height, would nonetheless be significantly greater than
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single storey in scale. The height of these elevations, together with their proximity to the rear of the site and the rears of properties on Chaucer Green would result in an imposing and dominating form of development upon those properties, compounded by the higher ground levels of the appeal site relative to those on Chaucer Green.

6. Although positioned at an angle to the site's rear boundary and the properties on Chaucer Green, the proposed rear elevation would nonetheless have an imposing presence when viewed from the rears of those properties, particularly towards the middle of the terrace. These factors would, in my judgement, result in an imposing and harmfully overbearing form of development that would cause significant harm to the living conditions of occupiers of those adjacent dwellings in terms of outlook.
7. I have noted the appellant's reference to a 14 metre separation distance, but I have not been directed to the source of this separation distance, or indeed its significance. Whilst the Council have referred to their House Extensions & Garages Design Guide (DG), the DG does not refer directly to the 14 metre distance quoted by the appellant. Moreover, in referring to a range of separation distances and the inter-relationship between various parts and types of dwellings, the DG does so with the broad premise that the levels between the respective properties are the same. That would not be the case in this instance, and it leads me to conclude that the proposal would result in significant harm to the living conditions of occupiers of the adjacent Chaucer Green properties, for the reasons set out above.
8. Thus, I conclude that the proposed development would be contrary to policy HD20 of the Harrogate District Local Plan (2001, as altered 2004) (HDLP) and policy SG4 of the Harrogate District Local Development Framework: Core Strategy (CS). Together these policies seek to ensure that, along with visual amenity, residential and general amenity should be respected, protected and where possible enhanced. In this respect, I find these to be consistent with the National Planning Policy Framework (the Framework), and particularly one of its core planning principles of always seeking to secure a good standard of amenity for all existing and future occupants of land and buildings.
9. Although the submitted plans indicate there to be a first floor window on the rear (northeast facing) elevation of the proposed dwelling, I note that this would serve a bathroom, rather than the bedroom suggested by the Council in their delegated report. Whilst I am satisfied that this matter could be appropriately covered by way of a condition, this does not overcome the harm I have identified above in respect of living conditions.

Character and Appearance

10. The constraints of the awkwardly shaped appeal site serve to push the proposed dwelling forward in the plot. As a consequence, it would sit awkwardly forward of the prevailing, and otherwise relatively consistent, building line on the northern side of Meadow Drive. This prominence within the street scene would draw attention to its limited proportions, clearly setting it at odds with those around it.
11. The proposed dwelling has been described as being "contrived" and designed to fit the site rather than to complement the grain or character of the existing area. From my observations of the site and its surroundings, and for the

reason set out above, I agree. The proposal would fail to be well integrated with, or be complementary to, neighbouring buildings or the surrounding area in terms of its scale, proportions, height and appearance, and is thus contrary to HDLP policy HD20 and CS policy SG4.

12. I have noted the appellant's assessment of the proposal against the criteria of HDLP policy HD20. I acknowledge that there is a broad mix of house types, sizes and general styles in the area, and accept that there are other examples of dwellings with front-facing gable elevations elsewhere on Meadow Drive. However, whilst that may be so, the proposed dwelling would nonetheless be of a scale, appearance and form that I find to be incongruously at odds with the surrounding area and I do not find these factors sufficient to outweigh the harm that I have identified above.
13. Whilst the Council have not objected to the proposal in terms of its potential to conserve energy and resources, and such matters may be able to be dealt with by way of planning condition, I afford this particular aspect of HDLP policy HD20 only limited weight so as to be insufficient to outweigh the harm I have identified above.

Conclusion

14. For the reasons set out, and having regard to all other matters raised, I conclude that the appeal should be dismissed.

Graeme Robbie

INSPECTOR