
Appeal Decision

Site visit made on 10 April 2017

by Harold Stephens BA MPhil DipTP MRTPI FRSA

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

Decision date: 25 April 2017

Appeal Ref: APP/E2734/D/17/3170027

9 Gilsforth Lane, Whixley YO26 8BF

- 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 and Mrs Craig Weatherill against the decision of Harrogate Borough Council.
 - The application Ref 16/04304/FUL, dated 3 October 2016, was refused by notice dated 6 January 2017.
 - The development proposed is the erection of an extension over an existing garage to form a bedroom.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues in this appeal are:
 - (i) the effect of the proposed extension on the living conditions of the occupants of 22 Longland Lane with particular reference to outlook; and
 - (ii) the effect of the proposed extension on the character and appearance of the host dwelling and the surrounding area.

Reasons

3. The appeal relates to a detached dwelling with an attached double garage located on an existing housing development north of the A59 York Road at Whixley.
 4. Planning permission is sought to increase the height of the existing single storey garage to incorporate a bedroom with a new dormer window to the front elevation. This would allow for a greater use of the property by creating a larger bedroom.
 5. The statutory development plan for the area includes the Harrogate District Core Strategy which was adopted in February 2009. This sets out the vision and strategic policies for development in the District up to 2021 and beyond. Policy SG4 of the Core Strategy advises that all development proposals should be well integrated with, and complementary to, neighbouring buildings and the spatial qualities of the local area and also be appropriate to the form and character of the settlement. Policy EQ2 seeks to protect the high quality natural and built environment within the District.
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6. Relevant saved policies in the Harrogate District Local Plan (HDLP) include Policy HD20 and Policy H15. Policy HD20 sets out a number of design principles that are to be met by new development. These include making a positive contribution to the spatial quality of the area and respecting local distinctiveness, the scale, proportions and height of neighbouring properties, and the privacy and amenity of nearby residents. Policy HD20 states that development which is contrary to these design principles will not be permitted. Policy H15 applies these design principles to extensions to dwellings.
7. The House Extensions & Garages Design Guide SPD was approved in 2005 following public consultation. I consider it attracts significant weight in decision making. The SPD expands on saved policies of the HDLP. The main purpose of the SPD is to promote higher standards of design.
8. The NPPF is also a material consideration in this case.

Effect on living conditions

9. I appreciate that the Appellants have sought to address the concerns raised in relation to a previous scheme by proposing to increase the eaves and ridge height of the existing garage by just over 1m. Moreover, I note that a hipped roof is proposed with a dormer window to the front elevation and roof lights to the rear. It is argued that the proposal would only have minimum impact on the occupants of the neighbouring property at 22 Longland Lane. I disagree.
10. Although the height of the extension has been reduced in relation to the previous scheme, I saw that a large proportion of the garage is located about 3m from the rear garden of 22 Longland Lane. The two storey structure would be set on part of the common boundary with this property. This house has a relatively modest rear garden area and due to its size and siting the proposal would appear dominant and overbearing when viewed from the rear of 22 Longland Lane. The overbearing and enclosing impact on the garden of this neighbouring house would be unacceptable for its occupants. The proposal is therefore contrary to Policy H15 of the HDLP and Policy SG4 of the Core Strategy. On the first main issue I conclude that the appeal must fail.

Effect on character and appearance

11. Paragraph 56 of the NPPF indicates that the Government attaches great importance to the design of the built environment. Furthermore it states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. I appreciate that in order to reduce the impact of the proposal on the neighbouring property the scheme incorporates a hipped roof and dormer window to the front elevation. However, this design is materially out of keeping with the appearance of the host dwelling. The hipped roof would not reflect the gable of the existing house and the dormer has no visual relationship to the property. Moreover, the design does not reflect the overall character of the housing development which I saw on my visit.
12. The submitted Design and Access Statement includes two images of dormer windows on surrounding properties. That shown on figure 2 clearly formed part of the design of the original development and is a feature of vernacular buildings. Figure 3 would appear to relate to the rear elevation of a dwelling. I saw that this residential development has been designed to reflect traditional

vernacular buildings, in both form and appearance. The majority of the dwellings are two-storey with single storey garages to the side. Dormer windows are not a feature of the street scene, either on the main elevations or attached garages.

13. In my view the design of the proposed extension would not reflect the general character of the area. It is suburban in appearance and overall it would have a detrimental impact on the character and appearance of the surrounding area. The proposal would therefore be contrary to Policy HD20 of the HDLP and Policy SG4 of the Core Strategy. On the second issue also I conclude that the appeal must fail.

Other Matters

14. I have taken into account all other matters raised including the comments from neighbouring residents. I note that the proposal would be constructed in materials to match the existing dwelling. I acknowledge that the proposal would not cause significant harm to the living conditions at 22 Longland Lane in terms of privacy or overshadowing. Planning conditions would not overcome the objections I have described. I conclude that the proposal is in overall conflict with the development plan. None of the points raised are sufficient to outweigh this conflict. The proposal would not constitute sustainable development. My overall conclusion is that the appeal should be dismissed.

Harold Stephens

INSPECTOR