



Appeal Decision

Site visit made on 13 June 2017

by I Jenkins BSc CEng MICE MCIWEM

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

Decision date: 13 July 2017

Appeal Ref: APP/E2734/W/17/3168291

Apartment 4, 17 Victoria Avenue, Harrogate, HG1 5RD

- 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 Andrew Reynoldson against the decision of Harrogate Borough Council.
 - The application Ref 16/02914/FUL, dated 5 July 2016, was refused by notice dated 30 August 2016.
 - The development proposed is a side (west elevation) dormer window not built fully in accordance with previous approval 16/00714/FUL.
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Decision

1. The appeal is dismissed.

Procedural matters

2. The development for which planning permission is sought in this case has commenced and the application subject of this appeal has been made retrospectively.

Main Issue

3. I consider that the main issue in this case is the effect of the proposal on the character and appearance of No. 17 and the Harrogate Conservation Area.

Reasons

4. No. 17 is a substantial, stone built semi-detached property with a slate roof and characteristics of its front elevation include a projecting front gable with a multi-storey bay feature and stonework detailing. It shares these features with the attached property and together their front elevations have a symmetrical appearance. The western sidewall of No. 17 is simpler in appearance. However, in common with the front elevation, its fenestration is characterised by sliding sash windows and narrow window framing to the sides, which gives the openings a vertical emphasis and an elegant appearance. I consider that in these respects No. 17 is an attractively detailed building. Whilst the appeal property is not a Listed Building, the *Harrogate Conservation Area Character Appraisal, 2010*, confirms that it is identified on the Council's Landscape and Concepts Map as a building of local interest and merit.
 5. No. 17 occupies a prominent position within *Character Area A: Town Centre* of the Harrogate Conservation Area. It fronts onto Victoria Avenue. Furthermore,
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there is a substantial gap between the appeal property and the nearest neighbouring building to the west and, as a result, the western elevation of No. 17 is clearly visible from a number of public vantage points to the west and southwest along Victoria Avenue as well as over a longer distance from Station Bridge to the north.

6. For the reasons set out above, I consider that No. 17 makes a positive contribution to the character and appearance of the Conservation Area.
7. Section 72(1) of the *Planning (Listed Buildings and Conservation Areas) Act 1990* requires, in exercise of planning functions, that *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area*.
8. The appeal scheme comprises a dormer window, which projects from the western side slope of the main roof of No. 17. In 2016 the Council granted planning permission Ref. 16/00714/FUL for the conversion of the loft of the building to form additional living accommodation, the details of which included the installation of a dormer window in the rear roof slope and another in the western roof slope of the building. The details of the approved west facing dormer window indicated that it would be characterised by a sliding sash window opening with a relatively narrow pilaster on either side, giving it a vertical emphasis in keeping with the existing windows below.
9. The appeal dormer is markedly different from that which was approved. Whilst the window itself has a vertical emphasis, it is flanked on either side by a wide pilaster. In comparison with the elegant window openings below and the design of the approved dormer, the appeal dormer has a particularly awkward and obtrusive appearance, due to the wide pilasters flanking the window opening. It gives an impression of poor design. In my judgement, this would be likely to remain the case even if the side pilasters were reduced in width from 600 mm to 400 mm, as suggested by the appellant.
10. Whilst the appellant has drawn attention to the dormer windows of a number of other buildings in the local area, none appears to have side pilasters as wide as those associated with the appeal scheme. The dormer window that projects from the rear roof slope of No. 17, which I understand has been accepted by the Council, does have relatively wide side pilasters. However, the visibility of that dormer from public vantage points is more limited, the main views of it being from Station Bridge, to the north, restricted by neighbouring buildings and some planting. None of the examples cited by the appellant are directly comparable to the appeal scheme, which I have considered on its own merits.
11. I conclude that the appeal dormer, which is a clearly visible and prominent feature of the western roof slope when the building is seen from public vantage points to the west, southwest and north, detracts significantly from the character and appearance of No. 17 and diminishes the contribution it makes to the character and appearance of the Conservation Area. In this respect the appeal scheme conflicts with Policies SG4 and EQ2 of the *Harrogate District Core Strategy* as well as Policies HD3 and HD20 of the *Harrogate District Local Plan*, which insofar as they give encouragement to high quality design or the promotion or reinforcement of local distinctiveness, are consistent with the aims of the *National Planning Policy Framework* (the Framework).

12. I consider that the harm to the significance of the Conservation Area is less than substantial, due to the relatively limited scope of the works. In these circumstances the Framework indicates that the harm to the significance of the designated heritage asset should be weighed against the public benefits of the scheme.

Other matters

13. The loft conversion has made more efficient use of the appeal site in housing terms, in keeping with the aims of CS Policy SG4. Furthermore, the application plans indicate that appeal dormer is the only window serving a bedroom in the converted loft of No. 17. I accept that a window is necessary, in the interests of providing residents of that room with reasonable living conditions, with particular reference to light, outlook and ventilation. Furthermore, the appellant has indicated that a pilaster width of at least 400 mm is necessary to meet structural and insulation requirements for the dormer. However, those factors do not weigh heavily in favour of the appeal scheme, not least as I have no reason to believe that a lower profile window design, such as the rooflight(s) alternative referred to by the appellant, would not also provide residents with adequate living conditions.
14. Whilst the Council's reason for refusal makes reference to its *Heritage Management Supplementary Planning Document* (SPD), no particular conflicts with the requirements of the SPD have been drawn to my attention and so I give it little weight.

Conclusions

15. In my judgement, the benefits of the appeal scheme do not outweigh the harm that I have identified. I conclude on balance, that the appeal scheme does not amount to sustainable development under the terms of the Framework and it conflicts with the Development Plan taken as a whole. For the reasons given above, I conclude that the appeal should be dismissed.

I Jenkins

INSPECTOR