



Appeal Decision

Site visit made on 29 October 2019 by C McDonagh BA (Hons), MA

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 20 November 2019

Appeal Ref: APP/E2734/D/19/3237592

5 Masham Close, Harrogate, HG2 8QG

- 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 Miss A. Garratt against the decision of Harrogate Borough Council.
 - The application Ref 19/02240/FUL, dated 24 May 2019, was refused by notice dated 19 July 2019.
 - The development is described as 'proposed single storey rear extension, proposed 2 storey side extension, renovation of entrance porch.'
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Decision

1. The appeal is dismissed.

Appeal Procedure

2. The site visit was undertaken by an Appeal Planning Officer whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Procedural Matter

3. The appellant submitted amended plans with their appeal statement. These plans include a reduced overall height of the roof of the extension. I have been asked to determine this appeal on the basis of these plans. I understand they were originally submitted to the Council for consideration but nevertheless the application was determined on the basis of the original plans.
4. The 'Procedural Guide – Planning Appeals – England' advises that if an applicant thinks that amending their application proposals will overcome the local planning authority's reasons for refusal, they should normally make a fresh planning application (Annexe M.1.1). If an appeal is made, the appeal process should not be used to evolve a scheme and it is important that what is considered by the Inspector is essentially what was considered by the local planning authority, and on which interested people's views were sought (Annexe M.2.1).
5. Notwithstanding that, in deciding whether to accept these revised plans, I have given consideration to the 'Wheatcroft Principles' (Bernard Wheatcroft Ltd v SSE [JPL 1982 P37]) and whether any prejudice would occur. Third parties have not had an opportunity to comment upon the amended scheme and, for that reason, I consider that they would be prejudiced if I determined this appeal on the basis of the amended plans. Accordingly, I have determined this

appeal on the basis of the plans originally submitted with the planning application, on which the Council made its decision.

Main Issues

6. The main issues in this appeal are the effects of the proposed development on the character of the host property and streetscene, and on the living conditions of No.64 Masham Close with regards to a potential overbearing impact.

Reasons for the recommendation

Character of host property and streetscene

7. The appeal site comprises a red brick, two-storey detached dwelling located on a corner plot within a well-established residential area. The property includes an existing single-storey extension and porch, while off-street parking is located in front of an attached single-storey garage. The dwelling is surrounded on 3 sides by garden and lies close to the boundary with the neighbouring property at No.64 on the other.
8. The proposed development is the construction of a two-storey side extension, single-storey rear extension and works to alter the porch. Evidently the Council did not have concerns regarding the porch and single-storey rear extension. As such, I will instead focus on the two-storey side element of the proposal, which also includes a pitched dormer window.
9. My attention is drawn to the House Extensions and Garages Design Guide Supplementary Planning Document (SPD). This states that when assessing proposals for two-storey side extensions the Council will seek to prevent the loss of gaps between buildings, particularly where the gaps are important to the character of the street.
10. The street is characterised by detached dwellings, seemingly built at the same time and in a similar style, set back from the road behind front gardens and open parking areas. Plots are generally bound by low, soft boundary treatments such as hedgerows and shrubs, giving the area an open-plan character. Roof styles alternate from one house to the next, and single-storey garages are set to the sides of properties creating a regular rhythm in the streetscene and a sense of spaciousness. All of this creates a pleasant and consistent vernacular. While I note that some change to the appearance of the street has occurred due to alterations to some houses, it has largely maintained a strong sense of place.
11. The introduction of built form at first-floor level in this location would add substantial mass to the dwelling and erode the sense of openness which at present makes a positive contribution to the street scene on this prominent corner plot. While I acknowledge that the extension would be set away from the shared boundary with No.64 and the roof would be slightly set-down and set-back from the front elevation of the house, the long sloping roof form would be at odds with the simple gabled form of the existing roof and would fail to read as a subservient addition to the property.
12. The appearance of the development would be exacerbated by the introduction of a pitched roof dormer window. While I understand that in practical terms the dormer would provide additional head height and I recognise it would be set back from the roof and wall edges, it would add uncharacteristic visual clutter

to the front of the dwelling and would further disrupt the rhythm of roofscapes when viewed from the street. As such the proposal would neither reflect the character or appearance of the host dwelling or the street scene.

13. The appellant has drawn my attention to examples of two-storey extensions in the vicinity. However, I have no substantive details of these developments before me. I did note that extensions at Nos 24 and 26 are less prominent in the streetscene given the houses are built roughly perpendicular to one another with the extensions positioned in this corner, and moreover, both are well set-back from the front elevations and set-down from the overall roof height of their respective host dwellings. In any event, these developments do not represent the predominant character of the street. I acknowledge that the roof types of properties in the street varies, although it seems to me that the long sloping roof proposed in this instance, whilst it would visually break up the massing of the development, is not a defining feature of the estate. Furthermore, while increasing the width between the properties at ground floor level would retain and reinforce space, the addition of these works at first-floor level would erode it.
14. Consequently, for these reasons, the proposal would appear as an uncharacteristic and unsympathetic form of development, while also being intrusive visually in the streetscene, contrary to the SPD. This would also be contrary to the design aims of the National Planning Policy Framework (the Framework), Policies EQ2 and SG4 of the Harrogate District Local Development Framework Core Strategy (CS) and Saved Policies H15 and HD20 of the Harrogate District Local Plan (LP). Collectively, these seek among other aims to ensure development is well integrated with, and complementary to, neighbouring buildings and the spatial qualities of the local area and adds to the overall quality of the area while being sympathetic to local character.

Living conditions of No.64 Masham Close

15. The appeal site is separated from the side elevation of No.64 by a narrow walkway which runs past the existing garage of No.5 and into the rear garden. As with most other properties on the street, there is no built form at first floor level above the garage at present. The proposed extension would be set slightly below the overall roof height of the host dwelling and at the rear the eaves would match that of the existing property.
16. The SPD states that where an adjacent property enjoys a private garden to the side of a new extension, unless it is set away from the boundary, a large side extension will be overbearing.
17. In this case, the building works at first floor level would only extend back as far as the original rear elevation of No.5 bringing it broadly in line with the rear extension of No.64. The garden of No 64 is at the rear rather than the side of the property and there are no windows on the facing side elevation of No.64. Consequently, the only views of the extension at first floor level would be from the rear garden. As such, given the distance from the common boundary, the extension would not be an unduly overbearing feature when viewed from the neighbouring property.
18. Based on the above, I am satisfied that, in terms of the second main issue, the development would not significantly affect living conditions of the occupiers of No.64 through an overbearing impact. As such, in this respect, the

development would accord with SG4 of the CS, saved Policies H15 and HD20 of the LP and the Framework. Among other aims, these collectively seek to maintain residential and general amenity of the area for current and future occupiers of properties.

Recommendation

19. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

C McDonagh

APPEAL PLANNING OFFICER

Inspector's Decision

20. I have considered all the submitted evidence and the Appeal Planning Officer's report and on that basis the appeal is dismissed.

S Ashworth

INSPECTOR