



Appeal Decision

Site visit made on 25 November 2019

by J Hunter BA (Hons) Msc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 6th December 2019

Appeal Ref: APP/E2734/D/19/3235882

58 Leeds Road, Harrogate HG2 8BQ

- 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 Mrs Claire Tordoff against the decision of Harrogate Borough Council.
 - The application Ref 19/02079/FUL, dated 15 May 2019, was refused by notice dated 9 July 2019.
 - The development proposed is basement conversion with sunken patio to rear and lightwell to front.
-

Decision

1. The appeal is allowed. Planning permission is granted for basement conversion with sunken patio to rear and lightwell to front at 58 Leeds Road, Harrogate HG2 8BQ, in accordance with the terms of the application Ref: 19/02079/FUL, dated 15 May 2019 and subject to the following conditions;
 - 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plan no. 469.003 Proposed Plans and Elevations.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Background and Main issue

2. Planning permission has already been approved for the *Conversion of basement to form additional living accommodation including formation of sunken patio and alterations to doors and fenestration* (ref: 19/01241/FUL) and I have no reason to disagree with the Council's assessment in this regard. The extant planning permission is a material consideration of significant weight in the determination of this appeal.
3. In the context of the above, and acknowledging the point of contention between the main parties is the proposed light well to the front elevation, I consider that the main issue in this appeal is the effect of the proposal on the character and appearance of the host building and whether or not the proposal would preserve or enhance the character or appearance of the Harrogate Conservation Area (CA).

Reasons

4. Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the decision maker to pay special attention to the desirability of preserving and enhancing the character or appearance of CAs. Saved Policy HD3 of the Harrogate Local Plan (2001) (LP) also seeks to protect and enhance the character of CAs within the Borough.
5. The Harrogate Conservation Area Appraisal (CAA) for Character Area H, which includes the Leeds Road area and the appeal site, describes the area as being predominantly residential, mostly pre-1st world war but with elements of inter war and early 20th Century. As a result, the houses within this part of the CA are of very varying type, size, materials and details.
6. The host building is a substantial 2.5 storey, semi-detached house and whilst it is not specifically referenced within the CAA, I consider that its imposing scale, architectural detailing and materials contribute to the distinctiveness and significance of the CA.
7. The proposal would introduce a light well at lower ground floor level on the front elevation of the property. The window would be of traditional design, using materials that would closely match the existing fenestration and echoing the proportions of the other windows in the host property and the adjoining house.
8. During my site visit I noted the variety of fenestration details within the existing streetscape close to the appeal site. There is a wide range of detailing including two and four pane sash windows, three pane casements and other light well windows similar to that proposed. From Leeds Road, views into the site and of the proposed light well window would be largely obscured by the front boundary treatments of the properties. However, it would be possible to see the light well from the public road when passing the driveway of the host property.
9. It is evident that the proposed light well would introduce a new feature to the primary elevation of the host building and would undoubtedly alter the appearance of the property to a degree. However, it would sit at lower ground floor level with only the top portion visible when viewed in close proximity. I note the Council's concern that the insertion of an opening in this location would undermine the solid stone base of the property that is mirrored in the adjoining house. However, due to the tall shared boundary treatment I do not consider that the lower ground floor detailing of the appeal property would be read together with that of the adjoining property.
10. Furthermore, I note that the adjoining property is of a different design and proportion to the host property and therefore the pair of semis is not symmetrical in any event. Consequently, I do not consider that the proposal would cause harm to the character and appearance of the host property and therefore do not find conflict with Policies H15 and HD20 of the LP or Policies SG4 and EQ2 of the Harrogate District Core Strategy 2009 (CS) which, amongst other things, require new development to be well designed and to preserve the character and appearance of the area.
11. Acknowledging the wide array of property types and styles, varied fenestration detailing and architectural features within the location, coupled with the

existence of other light wells of similar scale and proportion, I find that the proposal would reflect the defining characteristics of the host building and the CA as a whole.

12. Consequently, the proposal would preserve the character and appearance of the CA and would therefore not conflict with the conservation aims of Policy HD3 of the LP. Taking into account paragraph 196 of the Framework, no harm would be caused to the heritage asset and therefore it is not necessary to weigh the balance of public benefits. Therefore, I conclude that the proposal would accord with the conservation aims of Section 16 of the Framework.

Conditions

13. In the interests of clarity and certainty I have imposed the standard time limit in which the development should be commenced and a condition specifying the approved plans. In the interests of safeguarding the character and appearance of the CA, I have also imposed a condition which requires that materials match the host property.

Conclusion

14. For the reasons outlined above and taking into account all other matters raised, I conclude the appeal should be allowed.

J Hunter

INSPECTOR