



Appeal Decision

Site visit made on 28 January 2020

by J M Tweddle BSc(Hons) MSc(Dist) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 February 2020

Appeal Ref: APP/E2734/W/19/3240970

Victoria House, Flat E, Victoria Avenue, Harrogate HG1 5PR

- 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 & Mrs D Price against the decision of Harrogate Borough Council.
 - The application Ref 19/02738/FUL, dated 26 June 2019, was refused by notice dated 21 August 2019.
 - The development proposed is a new roof terrace with glass balustrade and external steps with new door access.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the development on the character and appearance of the host building and whether it would preserve or enhance the character or appearance of the Harrogate Conservation Area.

Reasons

3. The appeal property is a former church that was converted to five residential flats following a grant of planning permission in 2005. The property exhibits some typical Palladian architectural features such as a large central triangular pediment and entablature supported by four columns and fine ashlar stonework. It is a distinctive and imposing building with interesting architectural detailing that contributes positively to the character and appearance of the Harrogate Conservation Area (the CA), which at this point is characterised by large detached period villas on the fringe of the town centre.
4. The proposal would see the introduction of glass balustrading above the first floor roof parapet along the eastern side of the building to provide a private roof terrace. Access to the roof terrace from inside the building would be achieved by creating an opening in the eastern flank wall of the building and installing a painted steel staircase leading down from the second floor. In doing so, this opening would replace a small arrowslit style window which forms a focal point on the elevation and would interrupt a band of stone detailing that wraps around this part of the building. This would harmfully diminish the architectural integrity of the building with the staircase appearing as a prominent and visually intrusive feature that would be highly visible from street level.

5. The glass balustrading would be a light weight addition that would partially be screened by the existing parapet wall and would, therefore, have very little visual presence. As such, I find no harm arising from this element of the proposal. However, this does not detract from the harm that would result from the installation of the staircase and the new opening on the eastern flank wall.
6. Despite the opening being designed to replicate the style of windows found elsewhere on the building it would harmfully disrupt the strong solid appearance of the elevation. The staircase would provide easy access to the roof, assisting with ongoing maintenance of the flat roof, but it would appear as a highly prominent and incongruous addition that, due to its elevated position, would significantly draw the eye. It would be highly visible from views along East Park Road and Victoria Avenue and, as such, its incongruous presence would be harmful to the appearance of the CA.
7. In terms of the National Planning Policy Framework (the Framework), the harm to the CA would be 'less than substantial' as it would only affect its immediate surroundings. Nevertheless, it is incumbent upon me to give considerable importance and weight to such harm. The Framework advises that this harm must be weighed against the public benefits of the proposal. However, no public benefits have been put forward to weigh against this harm. I acknowledge that the development would add to the appellants enjoyment of the property, but this is a private benefit of little weight.
8. In support of the appeal, the appellant has provided photographs of other balconies and roof terraces in the local area. However, none of these other examples include a staircase that would be directly comparable to the appeal proposal. In any case, the presence of other balconies and roof terraces in the locality is not a reason, on its own, to allow harmful development. Instead, I am required to consider the appeal on its individual merits, which is what I have done.
9. For all these reasons, the development would have a significant harmful effect on the character and appearance of the host building and would fail to preserve or enhance the character or appearance of the Harrogate Conservation Area. This is contrary to saved policies HD3 and HD20 of the Harrogate District Local Plan (2001) and policies SG4 and EQ2 of the Harrogate District Core Strategy (2009) which, amongst other things, seek to protect the character or appearance of conservation areas and ensure that new development incorporates high quality design.
10. In this context, the proposal would also conflict with the provisions of the Framework which seek to conserve and enhance the historic environment and promote high standards of design.

Conclusion

11. For the reasons I have set out, the appeal is dismissed.

Jeff Tweddle

INSPECTOR