



Appeal Decision

Site visit made on 27 July 2020

by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 August 2020

Appeal Ref: APP/E2734/D/20/3252889

3 Firs Close, Harrogate HG2 9HD

- 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 Abbs against the decision of Harrogate Borough Council.
 - The application Ref 20/00877/FUL, dated 28 February 2020, was refused by notice dated 23 April 2020.
 - The development proposed is erection of first floor extension to detached garage.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. Both the appellant and the Council requested that I enter the appeal site to assess the proposal, as well as a request from the Council to access 6 Firs Close to assess the effect on that property. However, I was able to view the appeal site from public land to sufficiently judge the proposal and have proceeded to determine this appeal on that basis.

Main Issues

3. The main issues in this appeal are the effect of the proposal on the:
 - Character and appearance of the host dwelling and the area; and
 - Living conditions of nearby residents with regards to outlook.

Reasons

Character and Appearance

4. The appeal proposal relates to a detached single garage located to the front of the host dwelling, which is a substantial detached house. The site is located at the head of a cul-de-sac and due to this arrangement it is prominent within the streetscape.
5. It is proposed to extend above the garage and erect a staircase to the side in order to create a gym and home office. In relative terms, the proposal would lead to a significant increase in the height of the garage. Due to the increase in height and the design of the proposal, the extension would result in a building of a narrow vertical character which would appear as an incongruous

freestanding feature to the front of the host dwelling. Even within the context of the mixture of building types in the streetscape, I consider that the Council's concerns about the 'tower' like appearance of the proposal are well-founded. Whilst the proposal would be of a smaller scale than the host dwelling and other buildings in the area, this would not mitigate for its incongruous design and prominence.

6. My attention has been drawn to an extant planning permission at the site which also relates to a first floor extension to the garage. However, based on the evidence before me, the approved extension was lower than the appeal proposal and used a more sympathetic roof design with lower eaves. Even allowing for the difference in height between the approved and appeal proposals, I consider that the approved scheme would be of a more appropriate design and does not justify the awkward and unsympathetic design of the appeal proposal.
7. I conclude that the proposal would lead to significant harm to the character and appearance of the host dwelling and the area. The proposal would therefore be contrary to Policies HP3 and HS8 of the Harrogate District Local Plan 2020 (the Local Plan) with regards to requirements relating to local distinctiveness as well as character and appearance. The proposal would also be contrary to the National Planning Policy Framework (the Framework) in respect of achieving well-designed places.

Living Conditions

8. The appeal site is located in close proximity to the boundaries of two neighbouring properties, and the Council refers to a potential overbearing effect on these properties from the proposal.
9. However, based on what I have seen and read, the neighbouring dwellings are set within extensive plots. There is a significant separation distance between the proposal and the elevations of these dwellings with the result that it would not have an overbearing effect on views from within the dwellings. Due to the extensive plot sizes, the proposal would also not have an unduly overbearing or enclosing appearance from within the gardens of the neighbouring properties, even allowing for the increase in height of the building. Furthermore, I saw that a significant degree of screening was provided by planting on the boundaries.
10. I conclude that due to the arrangement of the appeal site and neighbouring plots, the proposal would not lead to unacceptable harm to the living conditions of nearby residents with regards to outlook. The proposal would therefore not conflict with the amenity requirements of Policies HP4 and HS8 of the Local Plan. The proposal would also not conflict with the Framework with regards to achieving a high standard of amenity for existing and future users of development.

Conclusion

11. Notwithstanding my conclusions in respect of living conditions, I conclude that the proposal would lead to significant harm to the character and appearance of the area and it is this matter which is the determinative issue in this appeal. The proposal would therefore be contrary to the policies of the development

plan and Framework when read as a whole in respect of the effect on character and appearance and achieving well designed places.

12. I am mindful that the proposal would improve the usable space within the upper floor compared to the approved extension, but this private benefit would not outweigh the significant harm that I have identified.

13. For the reasons given above I conclude that the appeal should be dismissed.

David Cross

INSPECTOR