



Appeal Decision

Site visit made on 13 January 2021 by C McDonagh BA (Hons) MA MRTPI

by Susan Ashworth BA (Hons) BPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 29 January 2021

Appeal Ref: APP/E2734/D/20/3261566

Springfield House, Littlethorpe Road, Ripon HG4 1TZ

- 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 and Mrs M Jenner against the decision of Harrogate Borough Council.
 - The application Ref 20/02059/FUL, dated 4 June 2020, was refused by notice dated 4 August 2020.
 - The development proposed is a two-storey side and rear extension, alterations to front elevation fenestration and roof, front porch, conversion of part of integral garage to habitable room.
-

Decision

1. The appeal is dismissed insofar as it relates to the two-storey side and rear extension.
2. The appeal is allowed insofar as it relates to the alterations to front elevation fenestration and roof, front porch and conversion of part of integral garage to habitable room at Springfield House, Littlethorpe Road, Ripon HG4 1TZ in accordance with the terms of application ref: 20/02059/FUL, dated 4 June 2020 and subject to the following conditions:
 - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Plan as proposed; drawing no. J26-1-PLG1A, insofar as the drawings relate to the alterations to front elevation fenestration and roof, front porch and conversion of part of integral garage to habitable room only.
 - 3) The materials to be used in the construction of the external surfaces of the front elevation fenestration and roof, front porch and integral garage hereby permitted shall match those used in the existing house.

Appeal Procedure

3. 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.

Main Issues

4. The first reason for refusal in the Decision Notice states the design of the proposal would be detrimental to the overall character and appearance of the property. There is no reference to impacts upon the local area. However, this is discussed in the officer report and I note the appellants have assessed the matter in their statement. As such, I am confident neither party has been prejudiced by this part of my appraisal.
5. Therefore, the main issue is the effect of the proposal on the character and appearance of the host building and local area, including its potential impact on trees.

Reasons

The effect of the proposal on the character and appearance of the host dwelling

6. The appeal site comprises a large, detached, two-storey dwelling with garden areas to all sides. It has an attached, double garage to one side which is set down from the ridge and eaves of the main section of the dwelling. Access is taken from Littlethorpe Road via a driveway serving the appeal property and two other detached dwellings. The appeal site and its two neighbours, one to each side, are of differing designs, although they are of a similar scale.
7. The House Extensions and Garages Design Guide Supplementary Planning Document (the SPD) advises the form of an extension should be well-proportioned and present a satisfactory composition with the house.
8. The existing dwelling is designed so that the main two-storey element of the building, which features a projecting gable, is the more substantial element of the building and the garage is subservient to it. The composition of the building as a whole is balanced and proportionate. The proposed extension would add additional mass and bulk to the side and rear of the property which would alter the proportions of the building and result in the lower element, which in total would become almost as wide as the two-storey element, appearing sprawling and disproportionate.
9. I acknowledge the appellant's point that the existing garage is original and there is no evidence before me to the contrary. On that basis the proposal does not therefore represent an 'extension of an extension' as suggested by the Council. I also acknowledge that the proposed development would be set down and back from the ridge and eaves of the existing garage in an attempt to make it visually subservient. However, whilst that may be an appropriate design solution in some cases, the garage is already set down and back from the main part of the property and the extension would be read as additional incremental development. Moreover, the extension would increase the prominence of the subservient element and would thereby unbalance and detract from the composition and form of the existing building.
10. The proposed extension would, for these reasons, harm the character and appearance of the host building and is therefore contrary to Policy HS8 of the Harrogate District Local Plan (the LP) and the SPD. These seek to ensure there is no adverse impact to the character or appearance of the dwelling from an extension.

11. Turning to the proposed alterations to the front elevation fenestration, roof, front porch and the conversion of part of the integral garage to a habitable room, the plans show these would be constructed in materials to match the existing dwelling and would be of a suitable design and scale in relation to the host building. I note that the Council has raised no objections to these elements of the proposal and, from all I have seen and read, I have no reason to disagree. I therefore conclude that the proposed alterations to the front elevation fenestration and roof, erection of a front porch and the conversion of part of the integral garage to a habitable room would not cause any undue harm to the character or appearance of the host property or local area. As such this element of the proposal would comply with Policy HS8 of the LP and the SPD.

The effect of the proposal on the character and appearance of the wider area

12. I note the concern of the Council that the extension would reduce the gap remaining to one side, leaving the building much closer to one neighbour than the other. Nevertheless, some space would remain and the neighbouring properties would remain clearly visually separate. Moreover, I am unconvinced that regular gaps between the properties are a defining characteristic of the area and note that the two houses either side of the appeal property are both closer to their respective boundaries to the north and south. As such I would not consider the reduction of the gap to cause significant adverse harm to the spatial grain of the area.
13. The boundary between the appeal property and the neighbouring dwelling is lined by a mix of trees. I have no assessment or method statement before me indicating measures to protect these trees or whether they have any wildlife, landscape, historic, amenity, productive or cultural value as per Policy NE7 of the LP. However, whilst I note the concerns of the Council's arboricultural officer I have not been provided with any formal comments in this regard.
14. From my observations on site, the trees made a positive but limited contribution to the character and appearance of the wider area. There is no evidence before me that the trees are protected by a Tree Preservation Order. I also observed a gap in tree coverage along the boundary adjacent to the location of the proposed extension. While there would be trees in front of and behind the extension, both the Council and appellant are agreeable to a condition which would ensure a tree protection plan is agreed prior to the commencement of any development on site.
15. On that basis I am satisfied that the character and appearance of the wider area would be protected and the proposal would accord with Policy HS8, insofar as it relates to the character of an area, and Policy NE7 of the LP which requires new development to be designed to ensure a satisfactory relationship between buildings and new and existing trees, which both safeguards the future health of the trees and avoids unacceptable impacts on residential amenity.

Conditions

16. The Council has suggested that in the event of the appeal being allowed a time limit is not necessary. Nevertheless, in the interests of proper planning and to provide certainty I have recommended both the standard time limit condition

and have specified the approved plans insofar as they relate to those elements allowed.

17. In the interests of the character and appearance of the appeal property and local area, it is necessary to attach a condition that requires the materials of the front elevation, roof and porch to match the respective external materials of the existing property.
18. While both parties are agreeable to a condition requiring the submission of a tree protection plan in order to maintain the health of nearby trees, given I am dismissing the part of the appeal which would be most likely to affect these trees this is not considered necessary.

Conclusion and recommendation

19. For the reasons given above, and having had regard to all other matters raised, I therefore recommend a split decision; that the appeal is dismissed insofar as it relates to the side and rear extension and allowed insofar as it relates to the front elevation fenestration, roof, front porch and the conversion of part of the integral garage to a habitable room, subject to the above conditions.

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, a split decision is issued.

S Ashworth

INSPECTOR