



Appeal Decision

Site Visit made on 15 November 2021

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 November 2021

Appeal Ref: APP/E2734/W/21/3275932

74 St. Catherines Road, Harrogate, North Yorkshire HG2 8LA

- 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 Antony Dixon against the decision of Harrogate Borough Council.
 - The application Ref 20/03609/FUL, dated 15 September 2020, was refused by notice dated 3 December 2020.
 - The development proposed is erection of two storey extensions and removal of garage.
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Decision

1. The appeal is allowed and planning permission is granted for erection of two storey extensions and removal of garage at 74 St. Catherines Road, Harrogate, North Yorkshire HG2 8LA in accordance with the terms of the application, Ref 20/03609/FUL, dated 15 September 2020, 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 plans: Drawing Nos 21; 22; 23; 24; 25; 26.

Preliminary Matter

2. Since the submission of the appellant's appeal the revised National Planning Policy Framework (the Framework) was published and came into force on 20 July 2021. In light of this I have sought the views of the main parties in writing and comments received have been taken into consideration.

Main Issues

3. The main issues are the effect of the proposal on (i) the character and appearance of the appeal building and surrounding area; and (ii) the living conditions of occupiers of 70 St Winifred's Road with regards to light and outlook.

Reasons

Character and appearance

4. The area surrounding the appeal site is characterised predominantly by residential properties of various designs and mixed form. The pattern of development in the area is mainly linear with some properties located on corner plots however, the siting of buildings are not uniformed with gaps between properties varying in size.
5. The scale, including width, depth and heights, of the proposed extensions would be sensitive in respect of its relationship with the size of the existing property. The design and siting of the extensions, including some hipped roof styles and ridge lines being set down from existing ridge lines, would ensure that the proposal is

subservient to the appeal property and would not detract from the appearance of the surrounding area.

6. There is a significant gap between the appeal property and 70 St Winifred's Road (No 70) and the extension would be set away from the boundary with No 70. The proposal would therefore be in keeping with the general pattern and layout of development in the area.
7. Due to the proposals size, location and form, they would not create an unsatisfactory composition with the appeal property, nor would they have a detrimental effect on the surrounding area.
8. Accordingly, the proposals would not have a harmful effect on the character and appearance of the appeal building and surrounding area. The proposal would accord with Policies HP3 and HS8 of the Harrogate District Local Plan 2020 (HDLP), Harrogate Borough Council House Extensions & Garages Design Guide 2005 (HEGDG) and the Framework which seeks development to contribute to local distinctiveness and have no adverse impact to the character or appearance of the dwelling or the surrounding area.

Living conditions

9. The property at No 70 is located to the side of the appeal site but due to its positioning at plot shape, the rear of the property would not directly face the proposed extensions. The proposals are sensitive in design and scale, with roofs stepped down from the existing property. The proposed extensions are also set away from the boundary ensuring that the property at No 70 and its amenity space is not unduly enclosed.
10. No 70 has a large garden area which extends to the rear and side of the property and given the proposals design and positioning it would not result in significant loss of light to the garden area of No 70 or its property. Due to the orientation of the buildings, the massing, siting and distance of the proposal from No 70, the proposed extensions would not have any overbearing effects that would adversely compromise the living conditions experienced by the property of No 70 and its garden areas.
11. The proposal would not have a harmful effect on the living conditions of the occupiers of No 70 with regards to light and outlook. The proposal would accord with Policies HP4 and HS8 of the HDLP, the HEGDG and the Framework which seeks development to have no adverse impact on neighbouring residential amenity including overbearing and loss of light.

Conditions

12. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty. A condition is not required in relation to materials as sufficient details were provided with the submission including on the application form and the drawings.

Conclusion

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

Chris Baxter

INSPECTOR