



Appeal Decision

Site visit made on 14 February 2022

by M Russell BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 24th February 2022

Appeal Ref: APP/E2734/D/21/3286491

44 Rowan Close, Harrogate, North Yorkshire HG1 4GU

- 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 Andy Laurence against the decision of Harrogate Borough Council.
 - The application Ref 21/02777/FUL, dated 23 June 2021, was refused by notice dated 29 September 2021.
 - The development proposed is conversion of garage roof into office, including the erection of a dormer and installing a new external entrance and staircase.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the proposal on:
 - (i) The character and appearance of the area; and
 - (ii) The living conditions of occupiers of No 46 Rowan Close with particular regard to privacy.

Reasons

Character and appearance

3. Rowan Close sits within a recently built residential estate mainly characterised by two-storey detached dwellings. Dwellings are generally set back from the highway with front gardens and driveways. They are often served by similarly designed detached double garages. There is much consistency to the appearance of buildings in the estate including in terms of their mainly gabled, pitched roof forms and the brickwork and tile facing materials. Grass verges line the street's footways. These factors combine to give Rowan Close a high-quality, cohesive built environment.
4. The Council's Harrogate Borough Council House Extensions and Garages Design Guide (2005) (the DG) states amongst other things that dormers should not be so large that they dominate the roof and that wide, flat-roofed dormers are generally unacceptable.
5. I acknowledge that the dormer would be on the garage and not the dwelling itself. Even so, its substantial box-like form would be a bulky addition which would dominate the rear roof slope of the garage. The composite cladding facing material would not be in keeping with the common building materials

seen on the estate. The external staircase would be visible from the street and would draw attention to the discordant roof form even in glimpsed views.

6. I acknowledge that the dormer would not be highly discernible from public vantage points. However, it would be noticeable from neighbouring rear gardens, most particularly from No 46 Rowan Close. In any event, I do not consider that the lack of public visibility obviates the need to achieve good design. Indeed, paragraph 126 of the Framework states amongst other things that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.
7. I conclude that the development would result in significant harm to the character and appearance of the area and the host dwelling. In that regard, the development would conflict with Policies HP3 (Local Distinctiveness) and HS8 (Extensions to Dwellings) of the Harrogate District Local Plan (2020) (the LP) which amongst other things require that extensions do not adversely impact on the character or appearance of the dwelling or the surrounding area and protect, enhance or reinforce local distinctiveness. For the reasons given, it would also conflict with the Framework and the guidance in the DG.

Living conditions of occupiers of No 46 Rowan Close

8. The dwellings at Nos 44 and 48 Rowan Close are set away from the boundary with No 46. The rear elevation of the dwelling at No 44 is also angled away from this neighbouring property. Consequently, the distances and oblique lines of sight from the upper floor windows of these neighbouring dwellings ensure that the rear garden of No 46 currently benefits from high standards of privacy.
9. The DG states that any dormer that results in unacceptable overlooking of a neighbouring property will not be permitted. Given the position of the garage next to the boundary with No 46, the windows serving the proposed dormer would offer close up views of a substantial part of the rear garden serving No 46. Moreover, anyone standing at the patio doors or Juliet balcony would have a conspicuous presence when seen from the rear garden of No 46. As a result, the proposal would be detrimental to levels of privacy for occupiers of this neighbouring property.
10. I conclude, the development would result in significant harm to the living conditions of occupiers of No 46 Rowan Close with particular regard to privacy. In that regard, the proposal would conflict with the requirements to ensure extensions do not adversely impact on neighbouring residential amenity including loss of privacy in Policies HS8 (Extensions to Dwellings) and HP4 (Protecting Amenity) of the LP. The proposal would also conflict with the requirements at Paragraph 130 of the Framework for developments to create places with a high standard of amenity for existing and future users.

Other Matters

11. Whether or not the provision of a home office would be beneficial for the appellant's work circumstances and even if the current occupiers of No 46 do not object to the proposal, I must consider the effect of the development in the longer term. Therefore, these matters do not justify the harm identified under the main issues.

Conclusion

12. The proposal would be harmful to the character and appearance of the area and neighbouring living conditions. In those respects, it would conflict with the development plan taken as a whole. There are no material considerations that indicate the decision should be made other than in accordance with the development plan. Therefore, for the reasons given, I conclude that the appeal should not succeed.

M Russell

INSPECTOR