



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: 25 February 2022

Appeal Ref: APP/E2734/D/21/3287193

33 Stonebeck Avenue, Harrogate HG1 2BN

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant approval required under Article 3, Schedule 2, Part 1, Class AA of the Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended) (GPDO).
 - The appeal is made by Ms Jo Wood against the decision of Harrogate Borough Council.
 - The application Ref 21/02990/PDAS, dated 13 May 2021, was refused by notice dated 27 August 2021.
 - The development proposed is new first floor extension over the footprint of the existing detached bungalow.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effect of the additional storey upon (i) the character and appearance of the area and (ii) the living conditions of the occupiers of Nos 31 and 35 Stonebeck Avenue in respect of outlook, privacy and light.

Reasons

Character and appearance

3. The appeal dwelling is situated to the western side of Stonebeck Avenue which is predominantly characterised by detached bungalows. There is some variation to the orientation of roofslopes. However, even accounting for the gradual sloped topography, there is clear visual cohesion between the low-rise form of buildings and the stepped roofscape to this side of the road. This gives a distinctive rhythm and consistency to the street scene.
4. Given its position at a mid-point within an extensive row of bungalows, the bulk and height of the resultant two-storey dwelling would appear significantly at odds with the low-rise scale of buildings to this side of the road. This would be emphasised by the extent to which it would protrude above the height of the neighbouring bungalows at Nos 31 and 35 Stonebeck Avenue which would evidently disrupt the stepped roofscape. Consequently, the proposal would be an incongruous and discordant addition which would be detrimental to the defining characteristics of the street scene. For these reasons, the external appearance of the building would result in significant harm to the character and appearance of the area.

Living conditions

5. The side elevations of the host dwelling align closely with those of the neighbouring dwellings at Nos 31 and 35 Stonebeck Avenue. Existing spacing between the host dwelling and the side elevations would be retained. From my observations on site, the side elevation windows facing the site are secondary windows. The proposal would not encroach upon the more open aspects experienced from main windows to the front and rear of these neighbouring dwellings. In that regard suitable levels of outlook and light would be retained for occupiers of these neighbouring dwellings.
6. The angle between the host dwelling and No 31 would be sufficient to ensure that any views from first floor rear windows would be oblique and towards the periphery of this neighbouring rear garden.
7. However, the garden to the rear of No 35 currently benefits from high levels of privacy given that the bungalows to either side have no first-floor windows and due to the angle, distance, boundary treatments and differential levels between the nearest dwelling to the rear on Beverley Road. The proposal would enable a closer angled view of the more private part of the rear garden close to the rear elevation of No 31. This would result in a material loss of privacy when compared with the existing situation.

Other Matters

8. The appellant contends that the Council's reasons for refusal suggest that no detached dwelling with adjoining neighbours would benefit from the Class AA permitted development rights. However, the conditions at Class AA.2 of the GPDO require the prior approval of specific matters including amongst other things an assessment of the impact of the development on the amenity of any adjoining premises and the external appearance of the dwellinghouse. Accordingly, I have assessed the proposal on its own merits and have identified harm having regard to its site-specific context. The use of matching materials would not overcome the harm identified.

Conclusion

9. I have concluded that the external appearance of the proposal would result in significant harm to the character and appearance of the area and is therefore unacceptable. It would also result in a material loss of privacy for occupiers of No 35 Stonebeck Avenue. In these respects, the proposal would conflict with the general advice contained in Section 12 of the National Planning Policy Framework which amongst other things promotes the creation of high quality buildings and places.
10. The appeal is therefore dismissed.

M Russell

INSPECTOR