



Appeal Decision

Site visit made on 3 March 2022

by A M Nilsson BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 March 2022

Appeal Ref: APP/E2734/D/22/3291646

4 Baldersdale Avenue, Knaresborough HG5 0HH

- 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 S Purcell against the decision of Harrogate Borough Council.
 - The application Ref 21/01260/FUL, dated 23 March 2021, was refused by notice dated 19 November 2021.
 - The development proposed is a single storey rear extension and part single, part two-storey side extension.
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Decision

1. The appeal is allowed and planning permission is granted for Single storey rear extension and part single, part two-storey side extension at 4 Baldersdale Avenue, Knaresborough, HG5 0HH in accordance with the terms of the application, Ref 21/01260/FUL, dated 23 March 2021, 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 plan: Proposed – Drawing Number 002 – Dated Feb 21.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Preliminary Matters

2. The Council have commented that the correct policy references are HP3 and HS8 of the Harrogate Local Plan (2020) as opposed to policies HP8 and HS3 as referenced in the Decision Notice. I have considered the appeal in relation to the correct policy references as put forward.

Main Issue

3. The main issue is the effect of the proposed development on the character and appearance of the area.

Reasons

4. The appeal property is a two-storey semi-detached dwelling. It is located in a residential area that comprises a planned estate with various house styles and sizes, many of which have been extended or altered.

5. The appeal property is located on part of the street that comprises three pairs of semi-detached properties. These properties are notable for their set back from the footpath and their resulting large front gardens. This gives the immediate area a pleasant spacious characteristic.
6. The gaps between the properties have for the most part been infilled at the ground floor level with garages, the appeal property being one of the exceptions. Although the proposed development would remove part of the gap with the adjacent property, no. 2 Balderstone Avenue, at ground and first floor level, I do not consider that in this instance the gap between properties is of such special significance that the proposed development should be restricted. I accept that it does, to a small extent, contribute to the spacious characteristic of the area, but this is clearly to a more minor extent than the large front gardens that are unaffected by the proposed development. The existing gap is also only experienced from a small section of the street.
7. The proposed development would therefore not have an unacceptable impact on the character and appearance of the area. It would comply with policies HP3 and HS8 of the Harrogate Local Plan which require, amongst other things, that development should respect the spatial qualities of the local area, including the use of spaces about and between buildings and have no adverse impact to the character or appearance of the dwelling or the surrounding area.
8. The Council's House Extensions and Garages Design Guide Supplementary Planning Document (2005) outlines that extensions should not be sited against the side of a house where it would effectively fill or otherwise reduce the space between the house and its neighbour that is characteristic of the area. Although the proposed development would reduce the space between houses, this is not a significant or special characteristic of the area. Either way, were there to be a conflict, it would be relatively minor and not be to such an extent to override my finding that there is not an unacceptable impact overall.

Conditions

9. In addition to the standard time limit condition, I have imposed a condition requiring that the development is carried out in accordance with the approved plan for the avoidance of doubt and in the interests of certainty.
10. It is necessary to impose a planning condition requiring the use of matching materials. This is in the interests of the character and appearance of the host property and surrounding area.

Conclusion

11. For the reasons outlined above, and taking into account all other matters raised, I conclude that the appeal should succeed.

A M Nilsson

INSPECTOR