



Appeal Decision

Site visit made on 15 March 2022

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 05 April 2022

Appeal Ref: APP/E2734/W/22/3291064

Berkeley House, 4 - 6 South Park Road, Harrogate HG1 5QU

- 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 Antony Rosindale of SPRD Manco against the decision of Harrogate Borough Council.
 - The application Ref 20/03994/FUL, dated 13 October 2020, was refused by notice dated 19 July 2021.
 - The development proposed is insertion of balconies to rear elevation to four apartments.
-

Decision

1. The appeal is allowed and planning permission is granted for insertion of balconies to rear elevation to four apartments at Berkeley House, 4 - 6 South Park Road, Harrogate HG1 5QU in accordance with the terms of the application, Ref 20/03994/FUL, dated 13 October 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: Site Location Plan; Site Layout as Proposed; Proposed New Balconies.

Preliminary Matter

2. For the sake of brevity and clarity, I have taken the description of development from the Council's decision notice.

Main Issue

3. The main issue is whether the proposal would preserve or enhance the character or appearance of the Harrogate Conservation Area.

Reasons

4. The appeal site consists of a large apartment block which sits within the Harrogate Conservation Area (HCA).
5. In accordance with the duty imposed by section 72(1) of the Planning (Listed Building and Conservation Areas) Act 1990 I am required to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. Moreover, paragraph 199 of the National Planning Policy Framework (the Framework) states that when considering the impact of new development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

6. The area surrounding the appeal site is characterised by a mix of residential and commercial buildings with various styles. The built form has varied architectural designs incorporating traditional with contemporary features and detailing. It is this mix of architectural character which contributes to the HCA in this immediate locality of the appeal site.
7. The proposed balconies and the alterations to the fenestration, due to the design and scale would be sensitive additions that would not disrupt the proportions of the west elevation of the building or detrimentally obscure its material palette.
8. There are a mix of architectural styles in the area, including buildings with large expanses of glass and properties with variant types of balconies. The design of the proposed balconies would not be out of keeping with the built development in the area and would reflect the context of the HCA.
9. I note that the balconies were removed from the original extension design of the building however, insufficient details have been provided on these previous balconies. The design, scale and siting of the proposed balconies would achieve a well-balanced and high-quality design that reflects local context.
10. Accordingly, the proposals would preserve the character and appearance of the HCA. The proposals accord with Policies HP2 and HP3 of the Harrogate District Local Plan 2020, the Harrogate House Extensions & Garages Design Guide and the Framework which seeks proposals affecting a conservation area to protect and enhance those elements that have been identified as making a positive contribution to the character and special architectural or historic interest of the area and its setting.

Other Matters

11. I have had regard to concerns raised in relation to effects on living conditions of neighbouring occupiers in terms of overlooking. I have given careful consideration to this matter, and I note the Council have not raised any concerns regarding the issue. Given the proposals location in relation to neighbouring properties, I do not consider the living conditions of neighbouring occupiers would be adversely affected in terms of overlooking issues.

Conditions

12. Conditions relating to timeliness and the identification of plans are necessary in the interests of proper planning and to provide certainty.

Conclusion

13. The proposal would not conflict with the development plan and there are no other considerations, including the provisions of the Framework, which outweigh this finding.
14. For the reasons given above I conclude that the appeal should be allowed.

Chris Baxter

INSPECTOR