
Appeal Decision

Site visit made on 23 November 2022

by T J Burnham BA (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 1st December 2022

Appeal Ref: APP/E2734/D/22/3306786

17 Hillbank View, Harrogate, North Yorkshire HG1 4DR

- 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 Paul Aldis against the decision of Harrogate Borough Council.
 - The application Ref 22/01650/FUL, dated 20 April 2022, was refused by notice dated 12 July 2022.
 - The development proposed is 2 storey side extension.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The description of the proposal has altered from the application form to the decision notice. That on the application form is adequate to describe the proposal and I have considered it on this basis.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the area and on the living conditions of the occupiers of 18 Hillbank View (No.18) with regard to overbearing.

Reasons

Character and appearance

4. Despite being a reasonably modern development, Hillbank View has a unity of design and a pleasant openness which contributes positively to the character and appearance of the area.
5. The design of the dwellings and their distribution of bulk contributes to this sense of openness. Many dwellings do not extend to the shared boundaries and it is often the case where they do, this is in the form of single storey development. This allows views between the properties further to the east and west.
6. The proposed extension would come out all the way to the boundary at two storey level. This would significantly restrict through views from the street to the west and would offer a sense of enclosure at the southern end of the street which would contrast sharply with its open character.

7. The proposal would therefore have a significant adverse impact on the character and appearance of the area. It would subsequently conflict with Policy HS8 of the Harrogate District Local Plan (2020) (HDLP) which amongst other things requires that extensions to dwellings have no adverse impact on the character and appearance of the surrounding area.
8. There would also be conflict with SPD¹ guidance, which seeks to prevent the loss of gaps between buildings where this is important to the character of a street.

Living conditions

9. The rear elevation of the extension would be set slightly further to the west than the first floor of No. 18 which is the neighbouring property to the north. However, that property retains a slight set off from the boundary with the appeal property. Further, windows on the first-floor rear elevation would continue to offer an extensive outlook to the west.
10. The neighbouring property has a projecting rear off shoot at ground floor level, the boundary treatment is tall and robust and the extension at the appeal site would not extend rearwards of its main rear elevation. The extension would not be especially prominent to the occupiers of No.18 within this context.
11. The extension would therefore have no significant adverse impact in terms of overbearing on the occupiers of No.18. The proposal would not therefore conflict with Policy HP4 of the HDLP which overall requires that proposals do not result in significant adverse impacts on the amenity of occupiers and neighbours.

Other Matters

12. I acknowledge that the proposal would provide additional space for the appellants family. However, the case for this issue, in justification for the proposal, has not been put forward in any level of detail. Further, there is nothing which indicates additional accommodation could not be provided in a less harmful manner. I can only therefore afford this matter very limited weight.

Conclusion

13. There is nothing to indicate that the decision should be made otherwise than in accordance with the development plan and I therefore conclude that the appeal should be dismissed.

T J Burnham

INSPECTOR

¹ Harrogate House Extensions and Garages Design Guide – 11. Side Extensions – Page 12.