



Appeal Decision

Site visit made on 10 January 2023

by A Caines BSc(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 January 2023

Appeal Ref: APP/E2734/D/22/3313017

15 Castle Close, Killinghall, North Yorkshire HG3 2DX

- 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 Richard Thompson against the decision of Harrogate Borough Council.
 - The application Ref 22/03496/FUL, dated 8 September 2022, was refused by notice dated 23 November 2022.
 - The development proposed is loft conversion with rear flat roof dormer.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the rear dormer on the character and appearance of the host building and surrounding area.

Reasons

3. The appeal property is one half of a two-storey, semi-detached house located at the head of a cul-de-sac of similar properties. The property has been previously extended to the side and rear. The adjoining property No 13 has a large flat-roofed rear dormer, but I am not aware of the circumstances which led to its existence.
4. Policy HP3 of the Harrogate District Local Plan (2020) (the LP) generally seeks good design in all new development. More specifically, Policy HS8 C) of the LP seeks to ensure that extensions do not harm the character or appearance of the dwelling or the surrounding area.
5. The Council also refers to its House Extensions & Garages Design Guide Supplementary Planning Document (2005) (the SPD) which advises that the scale and form of extensions should respond to that of the house, be well proportioned, and create a satisfactory composition with the house and the setting. Specifically in relation to dormer windows, it advises that these should not be so large that they dominate the roof; and that wide, flat-roofed dormers are generally unacceptable. Given the role of this guidance in supporting Policy HS8 of the LP and its consistency with the National Planning Policy Framework (the Framework) aims to achieve well-designed places, I attach significant weight to the SPD in this appeal.
6. Although the proposed dormer would be set in from the edges of the roof, it would still be a substantial structure occupying the majority of the rear roof

slope of the property. Its size and box-like form would appear excessively large and out of keeping with the existing building. The use of complementary cladding materials would not overcome the harm from its size, bulk and form. It has been suggested that the proposal would provide a degree of balance with the existing dormer at No 13, but I consider that their limited separation and cumulative bulk would further compound the harm. As a result, the dormer would be an unacceptably dominant addition to the roof and would, together with the existing extensions, detract from the original form and design of the host building.

7. I acknowledge that the dormer would not be highly discernible from the surrounding area, with views being obtained primarily from the rear of properties along Manor Gardens and in some gaps between those properties. Nonetheless, limited public visibility does not remove the need to achieve good design and compliance with the relevant requirements of the development plan and associated guidance. The harm to the character and appearance of the dwelling is sufficient to find conflict with LP Policy HS8 C) and the SPD. Furthermore, paragraph 134 of the Framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents.
8. I therefore conclude that the rear dormer would unacceptably harm the character and appearance of the host building, and so, conflicts with Policies HP3 and HS8 C) of the LP; and the SPD. It is also contrary to the Framework with regards to achieving well designed places.

Conclusion

9. For the reasons given, the development fails to accord with the relevant policies of the development plan and the Framework. There are no material considerations in this case which indicate that a decision should be taken other than in accordance with the development plan. Accordingly, the appeal should be dismissed.

A Caines

INSPECTOR