



Appeal Decision

Site visit made on 20 March 2023

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 31 March 2023

Appeal Ref: APP/E2734/D/23/3314502

3 Ralph Garth, Tockwith, York YO26 7PP

- 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 & Mrs Gilchrist against the decision of Harrogate Borough Council.
 - The application Ref 22/03915/FUL, dated 11 October 2022, was refused by notice dated 2 December 2022.
 - The development proposed was originally described as single storey side and front extension revised scheme.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are the effects of the proposed development on:
 - The street scene in Ralph Garth; and
 - The living conditions of the occupiers of No 5 Ralph Garth (No 5) with particular reference to outlook.

Reasons

Street scene

3. The appeal property forms one half of a pair of semi-detached houses on the corner of the entrance to a cul-de-sac characterised by pairs of semi-detached houses. The appeal property and its attached dwelling are angled to face the junction in a similar manner to the pair of houses on the opposite side of the road. This distinguishes these four houses from the other properties along Ralph Garth and, due to their position by the junction, they are prominent in the street scene.
4. The proposed side extension, as seen from the front, would appear distinctly wide. The wrap around design of the roof structure would accentuate the width of the frontage and would appear disproportionate to the host dwelling. This distinctly wide profile would result in a horizontal emphasis that would jar injuriously with the vertical proportions of the two-storey property. Moreover, the front door, offset from the two-storey part of the house, would create an awkward juxtaposition between the main entrance and the core of the house. For these reasons, even with matching materials, the proposal would not harmonise with the host property and would be to the detriment of the street scene.

5. I accept that front porches and wrap around extensions may exist elsewhere and are not necessarily uncommon on residential properties. However, they are not a defining characteristic of houses in this street scene. Given the orientation of the houses and the single storey height of the proposed extension, I am satisfied that extending toward the boundary, as proposed, would not reduce the spatial qualities of the street scene to an unacceptable degree.
6. The property is set within spacious grounds and even though it has been extended to the rear, there would remain a large degree of space around the property, such that the proposal would not appear as an over development of the plot. However, this does not overcome my concerns in relation to the design and width of the extension's frontage in relation to the host building.
7. I therefore find that the proposed development would have a harmful effect on the street scene in Ralph Garth. I therefore find conflict with Policies HP3 and HS8 of the Council's Local Plan (2020) (LP) when taken together. These say, amongst other things, that development should incorporate high quality building, urban and landscape design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments.

Living conditions

8. The existing rear extension at the appeal property, and the outbuilding in its rear garden, are both clearly visible above the boundary fence. However, they are not oppressive in their height, and No 5 retains an open outlook to the rear, including views of the sky above the existing features.
9. The proposed development would extend toward the side boundary of No 5 and would also be visible over the existing fence. However, it would be single storey and the combination of the hipped roof slope and flat roof would moderate the visual effects from the neighbouring property. The proposal would not extend past the rear façade of the two-storey element of the host property. As such, the extension would be seen in combination with the two-storey side of No 3 and the existing views of the sky would remain.
10. The proposal would not accord with the Council's recommended distances for extensions as set down within its House Extensions & Garages Design Guide. However, for the reasons set out above, No 5 would not be unduly hemmed in, and the extension would not appear oppressive from the neighbouring property or its garden.
11. I therefore find that the proposed development would not have an unacceptable effect on the living conditions of the occupiers of No 5 with particular reference to outlook. I therefore find no conflict with the requirements of Policies HP4 and HS8 of the LP, or the provisions of the National Planning Policy Framework (2021), when taken together and insofar as they relate to this matter. These say, amongst other things, that development proposals should be designed to ensure that they will not result in significant adverse impacts on the amenity of occupiers and neighbours.

Other Matters

12. The proposal would improve the living conditions associated with the property. However, personal circumstances will seldom outweigh more general planning

concerns and I must determine the appeal based on the merits of the scheme before me. Despite the appellants aiming to improve the building's appearance in the street, I have found harm. Such matters, and the absence of harm in relation to other considerations, do not outweigh my concerns relating to the effects of the proposed development on the street scene.

Conclusion

13. To conclude, the proposed development would not have an unacceptable effect on the living conditions of the occupiers of No 5 with particular reference to outlook. However, it would unacceptably harm the street scene in Ralph Garth.
14. For the reasons given above, the proposal would conflict with the development plan and there are no material considerations that would outweigh that conflict. Therefore, the appeal is dismissed.

Mr R Walker

INSPECTOR