



Appeal Decision

Site visit made on 7 March 2023

by K L Robbie BA (Hons) DipTP MTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2023

Appeal Ref: APP/E2734/D/22/3313860

Rossett House, 78 Green Lane, Harrogate, North Yorkshire HG2 9LN

- 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 David Pickles against the decision of Harrogate Borough Council.
 - The application Ref 22/03472/FUL, dated 7 September 2022, was refused by notice dated 27 October 2022.
 - The development proposed is a single detached garage.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issues are the effect of the proposed development on:
 - The character and appearance of the host property and the surrounding area; and
 - The living conditions of the occupiers of the neighbouring property.

Reasons

Character and Appearance

3. The appeal property is a detached stone-built two-storey house located on the junction of Green Lane with Ashville Close. The front elevation of the host property faces the Close. The immediately surrounding area is predominantly residential in nature characterised by detached houses set on modest sized plots. Within the Close properties have flat roofed integral garages.
4. The proposal is for a single detached garage, faced in stone and roofed in stone slates. It would be situated with its side elevation parallel to the Close in proximity to the boundary with the highway and forward of the front elevation of the house.
5. The Council's '*House Extensions and Garages Design Guide*' Supplementary Planning Document (SPD) states that outbuildings, including garages should not normally be in front of domestic properties unless within developments where there is an irregular arrangement of buildings. Furthermore, outbuildings should not impact detrimentally on the space about buildings. Whilst the buildings in the locality are not regular in arrangement, the host property itself has a regular front elevational arrangement and is distinct in style and age from the other dwellings in the Close which the garage would be viewed in the context of.

6. The garage would be finished in stone and slate; however, the shallow pitch of the roof would not be in keeping with other buildings in the vicinity. I acknowledge that the garage would be located behind a mature hedge, however it would be noticeable from the public realm when entering the Close. Furthermore, hedges change over time and cannot be relied upon to provide consistent levels of screening into the future. Moreover, I do not consider that the lack of public visibility removes the need to achieve good design.
7. My attention has been drawn to three other properties on Green Lane which have garages forward of their front elevations. From my observations, these are some distance away from the appeal property. The properties with which they are associated differ in character, appearance and context to that of the appeal property. In any event, I do not know the circumstances under which they were constructed or their status with regard to planning permission and therefore cannot draw any direct comparisons with the proposal that would weigh in its favour. The presence of these does not overcome the harm that I have otherwise found.
8. For these reasons the proposal would cause harm to the character and appearance of the host dwelling contrary to Harrogate Local Plan 2020 (HLP) policy HP3 which, amongst other things, requires development to be of high quality and respect the spatial qualities of its location. I have also had due regard to the SPD, which adds weight to my conclusions in this respect. These policies and guidance seek to protect the character and appearance of a host building and its location through high quality design that respects local design features, something that appeal scheme fails to do.

Living Conditions

9. The garage would be close to the boundary with 4 Ashville Close (No. 4). There is currently a mature hedge on the boundary between the host property and No. 4. From my site visit I observed that No.4 has patio windows in the ground floor elevation closest the appeal property.
10. The SPD states that outbuildings in gardens should be set either 5 or 8 metres from a neighbouring dwelling. However, the circumstances of the proposal before me differ from those illustrated in the SPD. Moreover, the Council's reason for refusal does not specify how the living conditions of the occupiers of No.4 would be affected.
11. Whilst there is no guarantee that the boundary hedge would remain at its current height, Given the scale and the orientation of the proposal in relation to the boundary with No.4 the proposal would neither dominate the outlook nor cause a significant loss of light to users of the room closest to the boundary. Furthermore, I not been provided with any compelling evidence that it would cause any other significant harm to the living conditions of the occupiers of No. 4.
12. As such, there would be no conflict with HLP policies HP4 and HS8 which seek to ensure that the impact of development on amenity is minimised. Despite technical breaches with the SPD's guidance, the site-specific circumstances of this appeal mean that the scheme would still comply with the overall amenity and design aims of the guide and those contained within HLP Policies HP4 and HP8, and the development plan as a whole.

Conclusion

13. Whilst I have found no harm in relation to the living conditions of the neighbouring occupiers, I have found that the proposal would cause harm to the character and appearance of the host property and the surrounding area. Accordingly, for the reasons given above and having considered the development plan as a whole and all relevant material considerations, I conclude that the appeal should be dismissed.

KL Robbie

INSPECTOR