



Appeal Decision

Site visit made on 16 May 2023

by David English BSc (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 June 2023

Appeal Ref: APP/E2734/D/23/3317341

50 Crimple Meadows, Pannal, Harrogate, North Yorkshire HG3 1EN

- 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 Collings against the decision of Harrogate Borough Council.
 - The application Ref 22/04106/FUL, dated 10 October 2022, was refused by notice dated 2 December 2022.
 - The development proposed is a two-storey side extension.
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Decision

1. The appeal is allowed, and planning permission is granted for a two-storey side extension at 50 Crimple Meadows, Harrogate HG3 1EN in accordance with the terms of the application, Ref 22/04106/FUL, dated 10 October 2022, 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:
Location Plan; Block Plan of the Site;
Drawing No. C.M. (50)/101 AS EXISTING; and
Drawing No. C.M. (50)/103 Rev E AS PROPOSED.
 - 3) The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

Main Issues

2. The main issues are:
 - the effect of the proposed development on the character and appearance of the area; and
 - the effect of the proposal on the living conditions of neighbouring residents at 48A Crimple Meadows in respect of daylight, sunlight, overshadowing and their outlook.

Reasons

Character and appearance

3. The appeal property is an extended modern two-storey detached house with elevations faced in natural stone and a tiled main pitched roof. The house is set

in reasonably sized well maintained gardens at the head of a small cul-de-sac of similar detached houses on a quiet established residential estate. Gaps between buildings contribute positively to the feeling of spaciousness in the cul-de-sac, and these gaps afford views of mature trees and woodland which provide a pleasant verdant backdrop to the estate.

4. The houses in the cul-de-sac are generally set back a short distance from the highway thereby allowing for off-street car parking. The orientation of houses varies, with most having gabled front walls facing the highway. Others, including the appeal property, front the highway more conventionally with pitched roofs sloping upwards from the front wall into their plots. The arrangement of the houses, some of which have been extended, provides variety in their size and their positions relative to each other. Notwithstanding the use of similar materials throughout the cul-de-sac, this layout creates visual interest which contributes positively to the character and appearance of the area.
5. The proposed side extension would align with the front wall of the main house at ground floor and would be set back a substantial distance at first floor. This allows the ridge of the proposed pitched roof to be set down from the ridge of the main roof of the house. In this respect, while not directly following guidelines in the Council's House Extensions & Garages Design Guide Supplementary Planning Document (September 2005) (the SPD), the form of the proposal responds well to that of the house, and it would balance comfortably with the previous extensions over the garage at the opposite side of the appeal property.
6. The proposed extension would appear subordinate to the main house, it is well proportioned and would create a satisfactory composition with the house and its setting. The proposal would also reflect local distinctiveness in terms of its scale, proportions, and height and would be a positive addition to the variety in appearance of the houses in the vicinity. In these respects, the design of the proposal responds positively to advice in the SPD.
7. The proposal would be built close to the boundary with 48A Crimble Meadows. However, that boundary returns at an angle of around 45 degrees between the appeal property and No 48A. The proposed extension would result in a reduction in the separation between the appeal property and No 48A. However, a significant gap comprising the front garden of No 48A, and the rear garden of the appeal property, would be retained. This gap would be sufficient to ensure that the important views through to trees and woodland beyond the cul-de-sac would remain largely unaltered. Accordingly, the size and positioning of the proposed extension would maintain the generally open feeling which is characteristic of the cul-de-sac.
8. Given the size of the plot within which the appeal dwelling is situated, and the maintenance of adequate separation from adjacent houses either side, the proposal would not comprise overdevelopment in this context.
9. The proposal would be in conformity with Policies HP3 and HS8 of the Harrogate District Local Plan 2014 – 2035 (March 2020) (the Local Plan) which, amongst other things and in summary, require development to incorporate high quality building design that protects, enhances or reinforces local distinctiveness; respect the spatial qualities of the local area; respond positively to its context; and, for extensions to dwellings, ensure no adverse

impact to the character or appearance of the dwelling or the surrounding area. The proposal also generally accords with the SPD.

Living conditions

10. No 48A has a short front garden which is approximately the length of an average family car. The front elevation of No 48A is positioned at an angle of a little more than 90 degrees to the front elevation of the appeal property. Due to the relative positions of the houses, the ground-floor living room bow window and a first-floor bedroom window in No 48A face towards the front garden of No 50. The same windows provide oblique views towards the gable of No 50 and would have a similar relationship with the proposed extension. The low hedging between the front gardens of the two houses does not significantly restrict views from the living room window of No 48A.
11. I took the opportunity to view the appeal site from inside No 48A. It was evident to me that views from the ground-floor bow window would change in as much as the proposed extension would be visible. Due to the relative positioning of the two houses, apart from the right-hand sash of the four panel bow window as viewed from inside No 48A, the direction of the main views from that living room window are at a slight angle away from the appeal property and not directly towards the proposed extension.
12. In this respect the proposal does not replicate closely any of the example guidelines given in the SPD regarding separation distances between existing windows and proposed extensions. Reasonable separation would remain between No 48A and the proposed extension. Having regard to the position the living room window in No 48A and the direction it faces, while the proposed extension would be visible from that window, it would not create an oppressive or overbearing effect on the occupiers of No 48A while using their living room.
13. The proposed extension would be visible from the nearest first-floor bedroom window in No 48A. However, due to the height of that bedroom window above ground level, the separation between houses and the set-back at first-floor level of the proposed extension, the effect of the proposal on living conditions in that room would be minimal.
14. The orientation of No 48A is such that the front elevation faces generally northwards. Given the position of the proposed extension relative to the gardens and the front elevation of No 48A, it is unlikely that overshadowing would arise other than early in the morning. In any event, having regard to the height and orientation of the existing house at No 50 and the shadows it may cast, the extent of overshadowing would change little as a result of the proposed development.
15. The separation between the windows in the front elevation of No 48A and the proposed extension, and the relative orientation of the properties, would ensure that no significant change would arise in respect of the levels of daylight and sunlight available to rooms in that neighbouring house. The evidence before me does not demonstrate that any alteration in this respect would be unduly harmful.
16. The proposed development would not be harmful to the living conditions of the neighbouring residents at 48A Crimble Meadows in respect of daylight, sunlight, overshadowing and their outlook. The proposal would therefore

accord with Policies HS8 and HP4 of the Local Plan which require development to have no adverse impact on the amenity of neighbouring residents. The proposal would also accord with the SPD and with the National Planning Policy Framework both of which require the same outcomes from development.

Other Matters

17. Representations from a neighbour question how the physical construction of the proposed extension will be achieved given its proximity to the boundary of the appeal property. However, as is recognised in those representations, this would be a matter between the parties involved and not one I need consider in the determination of this appeal.

Conditions

18. The Council confirms that it does not regard any additional conditions are necessary other than those identified in the appeal questionnaire. The conditions I have imposed are necessary in the interests of certainty to ensure commencement within statutory time limits, to specify the plans approved, and to ensure the character and appearance of the area is not harmed by the materials used in the development.

Conclusion

19. For the reasons given above I conclude that the development would accord with the development plan as a whole and therefore the appeal is allowed.

David English

INSPECTOR