



Appeal Decision

Site visit made on 12 October 2023

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 17 November 2023

Appeal Ref: APP/U2750/D/23/3328486

Riversdale, 21 Waterside, Knaresborough, North Yorkshire HG5 8DE

- 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 Ms Emma Howie against the decision of North Yorkshire Council.
 - The application Ref ZC23/01290/FUL, dated 27 March 2023, was refused by notice dated 28 July 2023.
 - The development proposed is: demolition of 2 outbuildings and a new 2 storey extension off the eastern elevation (rear), replacement of existing flat roof dormers to western roof slope and internal alterations.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - The effect of the proposal on the character and appearance of the host property and whether the proposal would preserve or enhance the character or appearance of the Knaresborough Conservation Area.
 - The effect of the proposal on the living conditions of the occupiers of No. 23 Waterside, with particular regard to outlook.

Reasons

Character and appearance

3. The appeal site is within the Knaresborough Conservation Area (CA), which is surrounded by a historic townscape and the River Nidd to the south. The significance of the CA is due to the variety of building styles, form and materials in the local area. These reflect the historic development of the area, much of which dates back to the eighteenth century. However, there are examples of older properties in the area. The appeal property is sited on Waterside. To the rear of the appeal site is an outbuilding. The rear garden area is split across multiple levels due to the topography of the site. The immediate vicinity hosts a variety of building styles, traditional colours and building materials. As noted during my site visit, Waterside has a strong character of gable and hipped pitched roof forms.
4. The Knaresborough Conservation Area Character Appraisal comments that several views of Waterside contribute to the character of the conservation area and therefore should be safeguarded. It is also considered that due to its location within the Knaresborough Conservation Area and popular tourist location along the River Nidd that this is a particularly sensitive area. The

character appraisal also states that beyond the railway viaduct, Waterside becomes more open. Properties around Waterside differ from each other in their form and materials through the use of brick, gritstone and magnesian limestone. However, most are rendered and painted. Most buildings present their eaves to the street. The appeal site shares a number of these characteristics and therefore makes a positive contribution to the significance of the heritage asset.

5. The proposed two-storey rear extension would project deep into the rear garden from host dwelling with a large width across the rear of the property. Due to the projection of the two-storey rear extension, it is considered that the proposal would create a large bulky structure, which combined with its proposed width, would dominate the rear of the property in terms of its form, scale and projection.
6. Due to the climbing topography of the conservation area into Knaresborough Town Centre, this element of the proposal would appear as a dominant structure cramped within the rear garden of the appeal site. This is due to the increased visibility of the appeal site when viewed from various points leading into the centre of Knaresborough to the rear of the site and from within the wider CA. As noted in the Knaresborough Conservation Area Character Appraisal, views of Waterside contribute to the character of the CA. Therefore, this element of the proposal would not preserve or enhance the conservation area due to its form, scale and projection. Whilst views of the rear extension would be limited from along Waterside itself, that does not alter my concerns regarding other views that would be available of the development from within the wider CA.
7. The proposal also includes a flat roof side extension at first floor height. This would appear as a single storey element but would be a similar height to the eaves of the proposed two storey rear projection. This is due to the stepped nature of the topography of the appeal site. This structure would appear as a modern flat roof addition with large, glazed openings.
8. Despite the proposed set back from the front elevation, this element would be clearly visible within the street scene and surrounding conservation area. This is due to its position to the side of the host property, large modern openings and prominent location on Waterside. The surrounding area is considered to host gabled and hipped roof forms. I note that flat roof forms are present within Waterside, but this is not the predominant form within the street scene as concluded on my site visit. I therefore find that the flat roof side extension would result in harm to the host dwelling and the CA.
9. Separately, the proposed replacement front dormers would match the existing pattern of fenestration and would not result in any harm. However, these aspects of the proposal do not overcome the more fundamental objections I have to the overall form, scale and large projection of the proposed extensions, as set out above.
10. For the above reasons, I conclude that the development would fail to preserve the character and appearance of the Knaresborough Conservation Area. This harm would be 'less than substantial' in the context of Paragraphs 201-202 of the National Planning Policy Framework ('the Framework'). However, no public benefits associated with the scheme have been put forward to outweigh this harm, nor is it obvious that any such benefits would be delivered.

11. The development would therefore be contrary to guidance in the Framework relating to designated heritage assets. It would also be at odds with Policies HP2, HP3 and HS8 of the Harrogate District Local Plan (2020) and the Council's House Extensions and Garages Design Guide. These policies and guidance seek to ensure that development protects and enhances conservation areas, and incorporates high quality design that contribute to the local distinctiveness.

Living Conditions of No. 23 Waterside

12. As viewed on my site visit, the rear of the appeal site hosts an outbuilding which has several doors and entry points. This outbuilding has a raised platform to one of these entry points and this is within a close proximity to a rear window of No. 23. The configuration of this outbuilding and the neighbouring property windows of No. 23 creates a poor situation at present with regards to the outlook of No. 23.
13. The proposed two storey rear extension would extend across the rear of the host appeal property and situated within close proximity to the rear ground floor window of No. 23. This would create a long projection deep into the rear of the appeal site, offering very little visual break. This would dominate the outward views from this rear window and would create a sense of enclosure on the rear elevation window of No. 23. This would result in a significantly greater impact and loss of outlook for the rear window of No. 23 than at present.
14. The appellant suggests that the use of the rear facing room at the ground floor of No. 23 is used as a store for the antiques shop located in the ground floor of No. 23. However, I note that comments from interested parties indicate that this ground floor room with a rear window is used as a bedroom. At the time of my site visit and from the information before me there is no clear evidence to define the use of this space and therefore there is uncertainty regarding the use of this room.
15. To conclude, based on the evidence before me and the accompanying uncertainty regarding the use of the rear room at the ground floor of No. 23, I am unable to conclude whether the development would have an unacceptable effect on the living conditions of No. 23. However, since I have found that the development is unacceptable in relation to the first main issue, this is not a matter which is determinative in this case.

Other Matters

16. The appellant has provided imagery and a plan of two modern examples of development within the immediate area. 15A Waterside (application reference: 22/02467/FUL) had not been constructed at the time of my site visit but from my analysis of the images and plans before me, appears to create an extension which would match the existing property. 27 Waterside (application reference: 10/02944/FUL) is located to the rear of the appeal site. Due to the enclosed nature of the buildings and greenery along Waterside, this example is not as prominent in this context. Nevertheless, I have not been provided with a decision notice or officer report of these examples and therefore cannot determine the reasoning behind these decisions. Accordingly, I have come to my own view on the appeal proposal, based on my observations and the evidence before me.

17. I note that support has been received for the proposal through third parties.
However, this does not alter my findings on the main issues discussed above.

Conclusion

18. For the reasons given above, the appeal is dismissed.

J Smith

INSPECTOR