



Appeal Decision

Site visit made on 11 April 2024

by **P. D. Biggers** BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 April 2024

Appeal Ref: APP/U2750/D/24/3339537

13 South Beech Avenue, Harrogate HG2 7PE.

- 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 Harrogate Housing Association Ltd against the decision of North Yorkshire Council.
 - The application Ref ZC23/03069/FUL dated 17 August 2023, was refused by notice dated 11 December 2023
 - The development proposed is improvement of energy efficiency of the property by adding external wall insulation to the front and rear.
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Decision

1. The appeal is dismissed insofar as it relates to the addition of external wall insulation and render to the front of the property.
2. The appeal is allowed and permission is granted insofar as it relates to the addition of external wall insulation and render to the rear of the property at 13 South Beech Avenue, Harrogate HG2 7PE in accordance with the terms of the application Ref ZC23/03069/FUL dated 17 August 2023 and subject to the conditions below:
 - 1) The development hereby permitted must be begun no later than three years from the date of this decision.
 - 2) The development hereby permitted shall be carried out in accordance with the submitted documents and the following approved plans insofar as they relate to the rear elevation: Location Plan; Proposed EWI Cross Section; Cross Section of Insulation; Before and After Photographs of Rear Elevation.
 - 3) Before the finishing coat of render is applied to the rear elevation details of the material and colour treatment shall be submitted to and approved in writing by the Local Planning Authority. The render shall be applied in accordance with the approved details.

Procedural Matters

3. There is disagreement between the parties as to whether permission is actually required for the proposed development the subject of the appeal with the appellant arguing the works would be permitted development. The *General Permitted Development Order* (GDPO) at Schedule 2 Part 1 Class A excludes any extension forward of the principal elevation of a property which technically the appeal proposal would be. I accept that the *Permitted Development Rights for Householders Technical Guidance* accompanying the GDPO does state that external insulation would not be classed as an enlargement and not subject to the

restrictions in Class A. However Class A of the GPDO does not simply relate to enlargement but to alteration and improvement and at A.3 requires that the materials used in any exterior work must be of a similar appearance to those used in the construction of the exterior of the existing dwellinghouse which this proposal would not do. In any event in this case the appellant has agreed to make an application which has been determined and appealed and I will determine the appeal on the basis that permission is required.

4. In the period since the appeal was submitted the Government has published a revised version of the *National Planning Policy Framework* (the Framework). None of the changes directly affect this appeal.

Main Issue

5. The effect of the proposed development on the character and appearance of the terrace and surroundings on South Beech Avenue.

Reasons

6. The appeal site sits on the south side of South Beech Avenue. The street is one of a series of two storeyed, traditional, terraced streets built in brick and tile, some properties having accommodation in the roof space. The streets are very uniform in their appearance with a unified front building line and architectural detailing on sills and lintels. The rear elevations of the terraces have a more varied appearance owing to individually designed rear offshoots.
7. I have been referred to the fact that there are other locations in the vicinity of the appeal site where individual properties have had render applied. However, whilst there are about five examples in South Beech Avenue of render on the front elevations, these are all cases where the render has been applied without insulation and therefore essentially there is no forward projection from the front building line. Moreover, the render is simply coloured, there is no case where brick effect render has been used. In the appeal case the insulation system proposed would result in a 120mm forward projection from the front elevation with a brick effect pattern applied.
8. This would result in a very prominent variation at odds to the unified appearance of the terrace viewed in both directions along the street. Although the proposed system of render would seek to replicate the brickwork it would not have the subtle natural variations in tone and texture that the original brickwork has. Therefore, not only would the projection be intrusive, the proposed render finish with its extended lintels and sills and therefore deeper set windows would look artificial and contrived compared to the fenestration and brickwork in the rest of the street.
9. It has been put to me that the proposal follows the 'fabric first approach' to carbon reduction in response to the obligations placed on social housing providers in the Government's *Clean Growth Strategy* and in this context the importance of securing a more energy efficient home would outweigh the slight visual impact of the insulation system.
10. Whilst I acknowledge that in the context of the climate emergency making the existing housing stock more energy efficient is important, I am not persuaded that this could not have been achieved with an internally applied solution. Having viewed both the ground floor living room and first floor bedroom they are both of a size that would be large enough to allow for the addition of an internal insulation

system on the front external wall without any material impact on the living space. I therefore am not satisfied that the need for energy efficiency justifies an external insulation system to the front elevation.

11. Turning to the rear elevation onto the back lane between South Beech Avenue and Avenue Grove, as already stated there is much less uniformity as a result of the varying style of rear offshoots and there is much less of the main rear elevation visible. The application of the insulation system as proposed would be much less intrusive here than on the front elevation particularly if the final colour treatment of the render was conditioned affording the council control over the finished appearance. Moreover, there is also more of a case to argue that because of smaller room sizes to the rear and the general layout that an internally installed insulation system would reduce room size to too great an extent.
12. It is open to me to issue a split decision where the different components of the proposal are physically and functionally separate which applies in this case.
13. For the reasons above I am satisfied that whilst the proposals for the front elevation would meet *Harrogate Local Plan* (HLP) Policy CC4 on sustainable design, the policy makes it clear that support for proposals to improve energy efficiency in existing buildings is subject to compliance with other relevant policies of the plan. The proposal would not be compliant with HLP Policy HP3 encouraging local distinctiveness through the palette and application of materials amongst other things. By contrast, and as explained, the application of the insulation and render to the rear elevation would not be so prominent subject to controlling the chosen colour treatment and in that respect the proposal would comply with HLP Policy HP3 as well as Policy CC4.

Other Matters

14. Some third parties occupying neighbouring properties in the street support the application because of the benefits it would bring in terms of energy efficiency and energy reduction in the homes. However, as explained above, I am not persuaded that the same insulation benefit on the front elevation could not be achieved through an internal insulation system that would not have the adverse visual impact on the character and appearance of the street and terrace.

Conclusion and conditions

15. For the reasons given above, I conclude that the appeal should be dismissed in relation to the addition of external wall insulation and render to the front of the property. However, in relation to the addition of external wall insulation and render to the rear of the property, the appeal should be allowed and planning permission granted.
16. The Council has proposed conditions in the event the appeal is allowed. I have considered the proposed conditions in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring the installation of insulation to the rear elevation to be carried out in accordance with the submitted plans is necessary in the interest of certainty.
17. In the interests of helping to ensure the installation on the rear elevation minimises any impact on character and appearance the Council had proposed a standard condition requiring matching materials. As set out above this would not give the degree of control necessary regarding the finish and colour treatment and, therefore, I have amended the condition to require the submission of details of

materials and colour and finish to the render to be used on the rear exterior of the building.

P. D. Biggers

INSPECTOR