



Appeal Decision

Site visit made on 24 April 2024

by J Smith MRTPI

an Inspector appointed by the Secretary of State

Decision date: 16 May 2024

Appeal Ref: APP/U2750/W/23/3335946

Richmond Court, Flat 7, Union Street, Harrogate HG1 1BW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr R Taylor against the decision of North Yorkshire Council.
 - The application Ref is ZC23/03511/FUL.
 - The development proposed is 2no. front dormer extensions to replace the existing dormer and replacement rear dormer extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The Council raise no concern with the two proposed dormers which would replace an existing dormer to the front elevation onto Parliament Street. I find no reason to disagree. The appeal therefore relates to the proposed replacement rear dormer.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host building and the surrounding area and whether it would preserve or enhance the character or appearance of the Harrogate Conservation Area.

Reasons

4. The appeal site is located within the Harrogate Conservation Area (CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.
5. The appeal site is located towards the centre of the CA. The Harrogate Conservation Area Character Appraisal (the appraisal) suggests that buildings in this area are varied but are generally three stories in height. A number of properties form continuous terraces, but the appraisal notes that this does not result in a uniformity of style. The appraisal also notes that the materials palette of the locality suggests that Welsh or Westmoreland slate is predominantly used in the roofscape and windows generally feature 12 or 16 paned sashes.
6. The appeal property forms part of a three-storey terraced row which contains a small flat roof dormer to the rear roofscape. This dormer is modest, which allows for strong visibility of the roofscape, including the tall chimney stack which contributes to its character. The property is constructed from local stone

with a slate roof. Collectively, these elements are reflective of the town centre and the CA. Previous extensions to the property have been constructed to the rear, which step down in height on to Union Street. These elements screen some historic and modern additions to this rear elevation.

7. At such a large scale, the proposed dormer would add a particularly heavy, bulky and cluttered appearance to the roofscape. This would appear as an alien feature, which would be exacerbated by its use of materials. This would create a juxtaposition to the existing roofscape. The fenestration details included in the proposal would also fail to respond to the local distinctiveness found at the host building and wider vicinity. This is due to its featureless expression with a lack of detail. As such, the proposal would erode the visual simplicity of the existing small dormer and roofscape, therefore creating a prominent and incongruous addition to the host building.
8. When viewed in the context of the surrounding buildings and roof structures, the proposal would be sited off an existing large flat roof structure. This would extend the presence of flat roofs with a modern appearance in this locality. However, as existing, this adjacent flat roof is difficult to view from Union Street due to its position behind a single storey and two storey outrigger which aids in its concealment. In comparison, the proposal would be visible across the rear of the properties from Union Street due to its overly large size which would draw the eye and appear entirely at odds with the traditional materials and form of the existing building. Collectively, I find that this would result in less than substantial harm to the CA.
9. The appellant has included in their evidence several images of flat roofs within the CA. Generally, these appear to take the form of unique buildings such as car parks and large offices which are spatially separated and have a limited relationship with other buildings. Furthermore, an image of a building towards the bottom of Union Street has been provided to highlight the utilisation of metal finishes. This building appears as a unique addition to the street scene due to its height and position on a corner plot. As such, it has a limited relationship with the street scene. However, no plans, officer report or decision notice has been provided, therefore I am unable to assess the full reasoning behind that decision. I have therefore given these matters limited weight in my decision.
10. The proposal would thus harm the character and appearance of the existing building, and would fail to preserve or enhance the character or appearance of this part of the CA. In terms of the National Planning Policy Framework (the Framework), the harm that I have identified would be less than substantial. Paragraph 208 of the Framework establishes that any harm should be weighed against the public benefits of the proposal.
11. The proposal would increase the habitable accommodation of the dwelling, and there would be some economic benefits arising from the construction process. However, given the scale of the proposal, I am satisfied that these benefits should only be given limited weight. I give the harm that I have identified considerable importance and weight in accordance with the Framework, which establishes that great weight should be given to the conservation of a heritage asset. In this context I find that the limited public benefits of the proposal are not sufficient to outweigh the degree of harm identified.

12. To conclude, I find that the proposal would fail to meet the requirements of Policies HP2, HP3 and HS8 of the Harrogate District Local Plan 2014 – 2035, and the guidance found within the Framework and the House Extensions and Garages Design Guide. Together, these policies and guidance seek to ensure that proposals affecting a CA to protect, and where appropriate, enhance those elements that have been identified as making a positive contribution to the character of the area. Proposals must also take into account the contribution of fenestration details, the roofscape and the palette and application of materials, amongst other things.

Conclusion

13. In conclusion, the proposal would conflict with the development plan and there are no other considerations that outweigh this conflict. Therefore, the appeal should be dismissed.

J Smith

INSPECTOR