

**North Yorkshire Council**

**Community Development Services**

**HARROGATE AND KNARESBOROUGH AREA CONSTITUENCY PLANNING COMMITTEE**

**ZC23/04483/FUL - ERECTION OF TWO STOREY REAR EXTENSION, FRONT EXTENSIONS, WIDENING DRIVE TO FRONT, ALTERATIONS TO GROUND LEVELS AND ALTERATIONS TO FENESTRATION & MATERIALS**

**AT 35 OAKDALE, HARROGATE, NORTH YORKSHIRE, HG1 2LW ON BEHALF OF MR AND MRS N FREEMAN**

**Report of the Assistant Director – Planning**

**1.0 Purpose of the Report**

- 1.1 To determine a planning application for the erection of a two-storey rear extension, front extensions, widening drive to front, alterations to ground levels and alterations to fenestration & materials at 35 Oakdale, Harrogate on behalf of the Assistant Director – Planning.
- 1.2 This application is brought to the Planning Committee because a Member of the Council has made representations in writing to the Corporate Director of Community Development within the publicity period and it is considered that it has been satisfied that it has been demonstrated that the application raises significant material planning issues for the application to be considered by Committee.

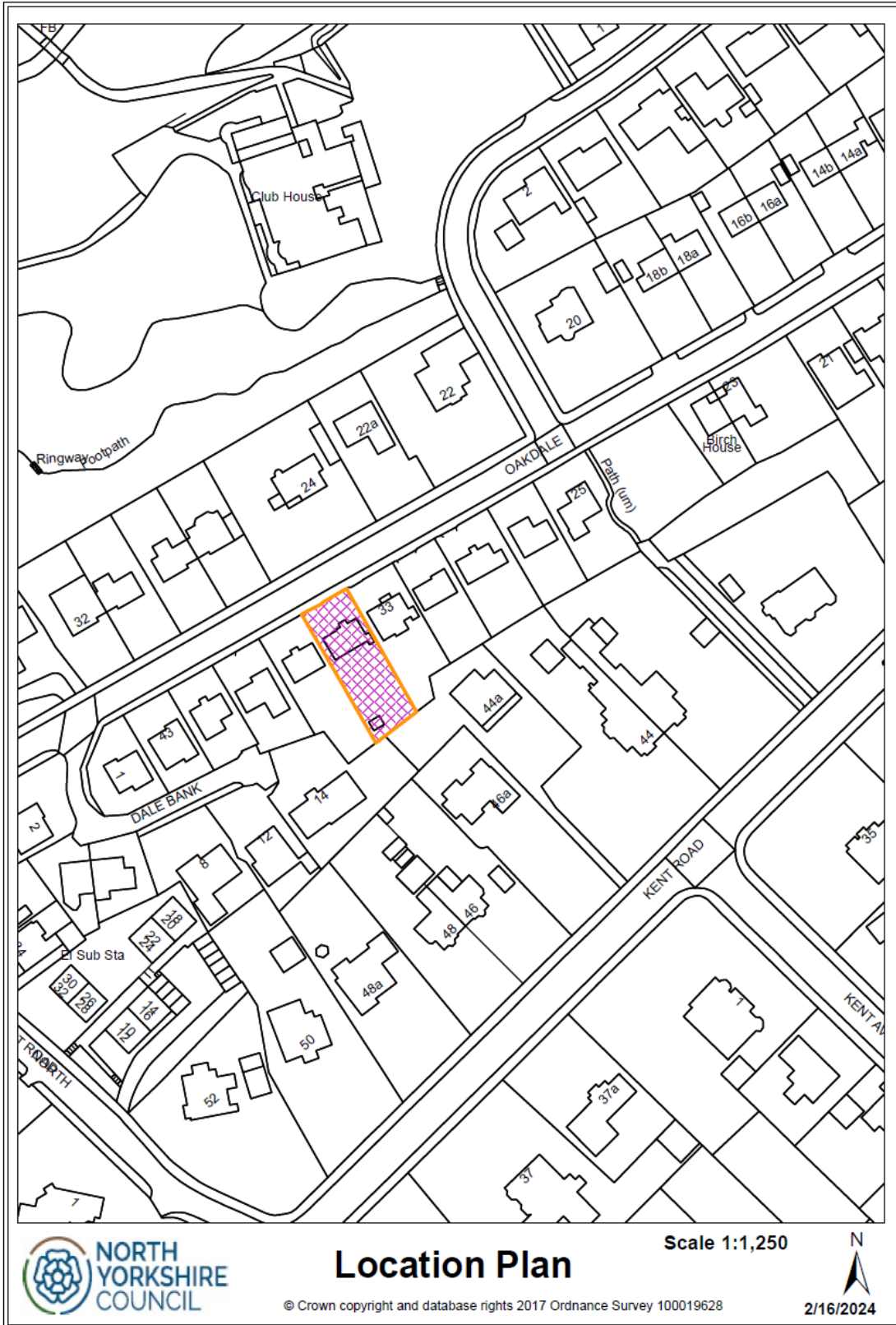
**2.0 EXECUTIVE SUMMARY**

**RECOMMENDATION: That planning permission be GRANTED subject to conditions.**

- 2.1. The proposal seeks full planning permission for the erection of a two-storey rear extension, front extensions, widening drive to front, alterations to ground levels and alterations to fenestration & materials.
- 2.2. The host dwelling is a detached dwelling located within a residential area of Harrogate. The existing dwelling is finished in render and natural stone with concrete tiles.
- 2.3. The streetscene is characterised by a variety of properties of different designs, materials and sizes, some of which have permission to be extended in a similar fashion. In this case, it is considered that although the proposed materials of render, timber panelling and grey aluminium are different to those of the existing dwelling, this will complement the appearance of some other properties in the streetscene and will not affect the character and appearance of the area in a detrimental way.
- 2.4. The ridge and eaves of the proposed extensions are set below those of the existing dwelling. The works do not alter the ridge of the existing dwelling.

The proposed extensions are therefore considered to be subservient to the host dwelling. The rear extension will not be visible from the street. The proposed works are in accordance with Local Plan Policies HP3 and HS8.

- 2.5. The rear extension is set back from the neighbouring boundaries. The rooflights are sited approximately 2.1 metres above floor level. Due to the separation distances and scale of the proposal, this extension will not harm the amenities of neighbouring properties, which is in accordance with Local Plan Policy HP4.
- 2.6. It is considered that the development would not cause harm to the setting of the Conservation Area and that the character and appearance of the Conservation Area will be preserved and that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area. This accords with the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, national planning policy at paragraph 206 of the NPPF and Policy HP2 of the Local Plan.
- 2.7. As such the proposal accords with guidance in the National Planning Policy Framework and the relevant policies of the Development Plan.



### **3.0 Preliminary Matters**

- 3.1. Access to the case file on Public Access can be found [here](#).
- 3.2. Amended plans were received during the course of the application. Amended plans were received on 12<sup>th</sup> January 2024, which lowered the glazing away from the ridge on the front elevation, lowered the ridge of the proposed rear extension and provided drainage to the base of the driveway.
- 3.3. There are no relevant applications or appeals in the site history of this particular property.

### **4.0 Site and Surroundings**

- 4.1. 35 Oakdale is a detached dwelling located within a residential area of Harrogate. It is located just outside of the Harrogate Conservation Area.
- 4.2. The existing dwelling is finished in render and natural stone with concrete tiles. The surrounding area consists of predominately large detached and semi-detached dwellings with large gardens. The streetscene is characterised by a variety of properties of different designs and materials.

### **5.0 Description of Proposal**

- 5.1. The proposal seeks full planning permission for the erection of a two-storey rear extension, front extensions, widening drive to front, alterations to ground levels and alterations to fenestration & materials.
- 5.2. The proposed materials are a cream-coloured render, timber panelling and grey aluminium cladding. Details of roof materials would be subject to a planning condition if the application is approved because these have not been provided.

### **6.0 Planning Policy and Guidance**

- 6.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

#### Adopted Development Plan

- 6.2. The Adopted Development Plan for this site is:
  - Harrogate District Local Plan 2014 – 2035, adopted March 2020.

#### Emerging Development Plan – Material Consideration

- 6.3. The Emerging Development Plan for this site is listed below.
  - The North Yorkshire Local Plan. No weight can be applied in respect of this document at the current time because it is at an early stage of preparation.

Guidance - Material Considerations

- 6.4. Relevant guidance for this application is:
- National Planning Policy Framework 2023
  - National Planning Practice Guidance
  - House Extensions and Garages Design Guide 2005

**7.0 Consultation Responses**

7.1. The following consultation responses have been received and have been summarised below.

7.2. **Arboricultural Officer** - No objection.

7.3. **Local Highway Authority (LHA)** - No objection.

The proposal will create a five bed urban dwelling with a single garage and space for two vehicles to park on the external hardstanding. This is in line with LHA standards. The LHA requested additional drainage given the increase in hardstanding on an area with a steep gradient and significant surface water. The applicant complied with this and agreed to install drains at the end of the private drive.

The gradient of the drive is much more steep than the LHA would usually permit. As this is an existing driveway, with no amendments to levels, the LHA is not in a position to ask for improvements.

The LHA would not normally permit a private access closer than 1 metre to a highway asset (such as a lamp column), but given the retaining wall to the rear of this asset, the risk is reduced. Should any future planning application be made to amend the retaining wall further details should be provided to protect the asset.

The applicant has noted that the dropped crossing will be retained, but the plans show that the transitional kerb will need to be relocated to allow full access to the property. Extension of the dropped crossing will be conditioned.

Conditions have been recommended in the interests of highway safety.

Local Representations

7.4. 4 letters of representation have been received at the time of writing. 3 letters are in objection and 1 letter in support with comments summarised below.

7.5. Objections:

- Significant scale inappropriate to the site
- Not in character with surrounding house
- Two storey extension and under house extension significantly increases existing residential floorspace
- Makes the house no longer affordable

- Proposed ridge is the same as the existing – adds unnecessary bulk
- Not similar to other applications on street due to excavations
- Building and excavation works required will disrupt neighbours
- Overlooking issues
- Overshadowing
- Overbearing

7.6. Support:

- Other developments of similar nature on street
- Architecture of street should continue to develop/evolve
- Number of different styles of dwelling on the street
- Enhance the quality of the area

## **8.0 Environment Impact Assessment (EIA)**

8.1. The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environment Statement is therefore required.

## **9.0 Main Issues**

9.1. The key considerations in the assessment of this application are:

- Design
- Residential Amenity

## **10.0 ASSESSMENT**

### Design

10.1. The Harrogate District Local Plan 2014-2035 was adopted by the Council on 4 March 2020. The Inspectors' Report concluded that, with the recommended main modifications which are set out in his report, that the Harrogate District Local Plan satisfies the requirements of Section 20(5) of the Planning and Compulsory Purchase Act 2004 (as amended) and meets the criteria for soundness in the NPPF. All the policies in the Local Plan can therefore be given full weight.

10.2. Policy HP3 of the Local Plan states that development should incorporate high quality design that protects, enhances or reinforces those characteristics, qualities and features that contribute to the local distinctiveness of the district's rural and urban environments.

10.3. Policy HS8 of the Local Plan states that extensions to dwellings will be supported providing there is no adverse impact on the character and appearance of the host dwelling or surrounding area.

10.4. Paragraph 135 of the National Planning Policy Framework (NPPF) states that planning decisions should ensure that developments are sympathetic to local character and history, including the surrounding built environment and

landscape setting, while not preventing or discouraging appropriate innovation or change.

- 10.5. The proposal is for the erection of a two-storey rear extension, front extensions, widening drive to front, alterations to ground levels and alterations to fenestration & materials.
- 10.6. The proposed two storey rear extension extends approximately 6 metres from the existing rear elevation. It is set back from the side elevations by approximately 1.8 metres on either side. The roof is pitched with its ridge and eaves set below that of the existing dwelling.
- 10.7. The rear extension is considered to comply with the Harrogate House Extensions and Garages Design Guide, which states that the ridge should be below that of the existing dwelling and that the side walls of the extension should be set back from the side wall of the dwelling to maintain architectural integrity.
- 10.8. The rear extension will not be visible from the street so will not adversely impact the character or appearance of the existing streetscene.
- 10.9. The proposed works to the front elevation include a pitched roof and a bay window projection. The ridge and eaves of the proposed pitched roof are set below that of the existing dwelling. The proposed front and rear extensions are considered to be a subservient addition.
- 10.10. It is noted that the proposed works will not increase the ridge height of the existing dwelling. It is therefore considered that the development will not appear to be of a significantly larger scale than the neighbouring dwellings.
- 10.11. The proposed works include an extension to the lower ground floor. This is considered acceptable as it will have a minor visual impact due to the topography of the land.
- 10.12. The proposed materials are a cream-coloured render, timber panelling and grey aluminium cladding.
- 10.13. The surrounding area consists of predominately large detached and semi-detached dwellings with large gardens. The streetscene is characterised by a variety of properties of different designs, materials and sizes.
- 10.14. Whilst the majority of dwellings on the street are either white/cream render or a natural-coloured brick, there are examples of other materials. Some dwellings feature timber porches, grey render and grey fenestration.
- 10.15. There are also dwellings on the street which have had permission to extend in a similar fashion to the host dwelling. 1 Dale Bank, which is 5 houses down from 35 Oakdale, was granted planning permission in 2021 (application reference 21/01102/FUL) for a very similar design. This application saw a small rendered dwelling be extended to a much larger dwelling clad in timber and grey aluminium. This development also featured large areas of glazing.

- 10.16. 39 Oakdale, which is two houses down from 35 Oakdale, was granted planning permission in 2023 (application reference 23/00711/FUL) for extensions and alterations, which included increasing the ridge height of the existing dwelling and excavations to extend the lower ground floor. The approved materials were render and black aluminium fenestration.
- 10.17. These two approved applications show that the streetscene is characterised by a variety of dwellings including some larger ones which feature modern designs and materials. Therefore, although the proposed materials at 35 Oakdale are different to those of the existing dwelling, this will complement the appearance of some other properties in the streetscene and will not affect the character and appearance of the area in a detrimental way.
- 10.18. The host dwelling sits just outside of the Harrogate Conservation Area so there is a need to consider whether the development affects the setting of a heritage asset and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area. The proposed works will not negatively impact the streetscene or result in any harm to the significance of the Conservation Area, it is therefore considered that the setting, character and appearance of the Conservation Area will be preserved in line with the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990. This also accords with national planning policy at paragraph 206 of the NPPF, which states that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. The proposal also accords with Policy HP2 of the Local Plan, which states that applicants should ensure that proposals affecting a heritage asset, or its setting, protect or enhance those features which contribute to its special architectural or historic interest.
- 10.19. The proposal will create a five-bed urban dwelling with a single garage and space for two vehicles to park on the external hardstanding. This is in line with LHA standards. The LHA requested additional drainage given the increase in hardstanding on an area with a steep gradient and significant surface water. The applicant complied with this and agreed to install drains at the end of the private drive.
- 10.20. Overall, the design, scale and siting of the proposed works are considered acceptable and would not result in harm to the character or appearance of the host dwelling or streetscene. As such, the proposal accords with policies HP3 and HS8 of the Local Plan.

#### Residential Amenity

- 10.21. Paragraph 135 of the NPPF states that planning decisions should ensure that developments create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 10.22. Local Plan Policy HP4 seeks to ensure that development will not result in significant adverse impacts on the amenity of occupiers and neighbours. This



includes overlooking, overshadowing and overbearing, as well as noise, vibration and fumes.

- 10.23. Local Plan Policy HS8 sets out the requirements for extensions to dwellings to be permitted which includes ensuring there is no adverse impact on residential amenity, no adverse loss of parking/garden and there is no adverse impact to the character or appearance of the dwelling or the surrounding area.
- 10.24. The proposed rear extension extends approximately 6 metres from the existing rear elevation.
- 10.25. The Harrogate House Extensions and Garages Design Guide provides guidance which states that a rear two storey extension should have a maximum projection from the face of the neighbouring dwelling, which is calculated by multiplying the distance between the extension and the boundary by 1.5.
- 10.26. The rear extension is sited approximately 3.2 metres away from the east boundary. This allows for a maximum projection of 4.8 metres from the neighbour to the east. The proposed extension will extend approximately 4 metres beyond the rear elevation of this neighbour, which is significantly under the maximum projection set out in the Design Guide.
- 10.27. The rear extension is sited approximately 3.4 metres away from west boundary. This allows for a maximum projection of 5.1 metres from the neighbour to the west. The proposed extension will extend approximately 5.7 metres beyond the rear elevation of this neighbour. Whilst this is above what the calculations for a two-storey extension recommend, the Design Guide states that the acceptable length of an extension will be determined by its height, the ground levels, distance back from the boundary and also the size of the neighbouring garden/amenity space. Therefore, these factors must also be taken into consideration.
- 10.28. The neighbouring dwelling to the west is set back from the boundary, which creates more distance between the dwelling and the extension. The proposed rear extension has a pitched roof, so the ridge is approximately 6.8 metres away from the boundary. It is also noted that the host dwelling is sited east of the neighbour so will not impact on their southern aspects which will therefore not cause adverse loss of light. Like the host dwelling, the neighbour has a rear garden with a steep gradient, hence the height of the extension will not appear as tall due to the significantly increasing ground levels. The neighbouring garden is also very large with it extending a further 19 metres beyond the extension. With all these factors noted, it is considered that the extension will not significantly impact the amenity of neighbours.
- 10.29. Due to the scale of the proposed extension and it being set back from the boundaries, it is considered that it will not have an overbearing impact on the neighbouring dwellings.

- 10.30. The rear extension has 3 rooflights on both sides. They are sited approximately 2.1 metres above floor level. This will not allow for any overlooking.
- 10.31. The alterations to fenestration also include side windows. These are near ground level so will be screened by the boundary fence. The proposed windows at second floor level are only on the front and rear elevations so will not adversely impact the privacy of neighbouring dwellings.
- 10.32. The proposed works include a rear balcony, which will connect the proposed second floor kitchen to the garden. The balcony is approximately 5.8 metres away from the neighbouring boundaries. Due to the sloping topography of the garden, the balcony is set lower than the existing ground levels. It will therefore not create overlooking issues.
- 10.33. The proposed works to the front elevation do not increase the ridge height of the existing dwelling. Although the ridge of the proposed pitched roof will extend further beyond the front elevation, it will still be in line with the front elevation of the neighbouring dwellings. It is therefore not considered to have an overbearing impact.
- 10.34. Overall, the proposed works will not significantly harm the amenities of neighbouring dwellings. The proposal is in accordance with Local Plan Policy HP4.

## 11.0. **PLANNING BALANCE AND CONCLUSION**

- 11.1. The design, siting and scale of the proposed works are considered acceptable. They will not detrimentally impact the host dwelling or streetscene. The proposal is in accordance with Local Plan Policies HP3 and HS8. It is considered that the development would not cause harm to the setting of the Conservation Area and that the character and appearance of the Conservation Area will be preserved, and that special attention has been paid to the desirability of preserving or enhancing the character or appearance of the conservation area. This accords with the provisions of Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, national planning policy at paragraph 206 of the NPPF and Policy HP2 of the Local Plan.
- 11.2. The proposal will not significantly harm the amenities of neighbouring dwellings. The proposal is in accordance with Local Plan Policy HP4.
- 11.3. As such the proposal accords with guidance in the National Planning Policy Framework and the relevant policies of the Development Plan.

## 12.0 **RECOMMENDATION**

- 12.1 That planning permission be GRANTED subject to conditions listed below

**Recommended conditions:****Condition 1 Time Limit**

The development hereby permitted shall be begun on or before three years from the date of this permission.

Reason: To ensure compliance with Sections 91-94 of the Town and Country Planning Act 1990.

**Condition 2 Approved Plans**

The development hereby permitted shall be carried out in strict accordance with the following drawings:

.Proposed Floor Plans Sections and Elevations 23/1553/03 Rev D

Reason: In order to ensure compliance with the approved drawings.

**Condition 3 Roof Materials**

Prior to commencement of the development hereby permitted, confirmation of the proposed roof material shall be provided for the written approval of the Local Planning Authority. The development shall be carried out in strict accordance with the approved details.

Reason: In the interests of visual amenity.

**Condition 4 New and altered Private Access or Verge Crossing**

The new access as shown on the approved plans must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number **E50** and the following requirements.

Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with the approved details shown on drawing E50 and maintained thereafter to prevent such discharges.

The final surfacing of any private access within 5 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works must accord with the approved details.

Reason: To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

**Condition 5 Parking**

The development hereby permitted shall not be brought into use until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.

**Target Determination Date:** 1<sup>st</sup> March 2024

**Case Officer:** Emily Brown  
emily.brown@northyorks.gov.uk

**Appendix A –**