
Appeal Decision

Site visit made on 6 December 2016

by Siobhan Watson BA(Hons) MCD MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 13 December 2016

Appeal Ref: APP/W9500/D/16/3159533

"Mizpah", Seaton Garth, Saithes, Saltburn, North Yorkshire, TS13 5DH.

- 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 Norman Fowler against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2016/0247/FL, dated 24 March 2016, was refused by notice dated 10 June 2016.
 - The development proposed is the raising of the roof height from two to three storey and a rear extension and rear balcony.
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Decision

1. The appeal is dismissed.

Main Issue

2. The main issue is whether the proposed development would preserve or enhance the character or appearance of the Staithes Conservation Area.

Reasons

3. The conservation area is a fishing village characterised by its coastal topography. The settlement is generally grouped around small yards, narrow streets and passageways and it retains much of its eighteenth and nineteenth century character. From upper vantage points, an irregular arrangement of roof-lines provide an interesting roof-scape of tightly packed roofs of red pantiles and grey slate. Many buildings are in the form of cottages which characterise the lower part of the village and these have the closest relationship to the sea.
 4. The appeal property is a traditional cottage which appears largely unaltered. It is in a key position within the conservation area on the sea front and is characterised by its small and quaint stature, sash windows, rounded edges and asymmetric fenestration. It has a charming and traditional appearance and is a positive contribution to the conservation area.
 5. The proposal is to raise the front eaves height by some 0.6m and the ridge by some 1.9m and to insert 2 modest dormers in the front roof slope. The rear would also be extended to allow for the second floor. I consider these proposals to represent a significant increase in roof height and bulk. Furthermore, the rear extension would result in the front and rear roof slopes being of very different pitches which would look incongruous to the traditional style of the dwelling. Overall, the significant increase to the shape and size of
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- the roof would ruin the traditional character of the existing cottage, thereby harming the character and appearance of the conservation area.
6. S72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 places a statutory duty upon me to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area. As the extensions would affect only one building, the development would cause less than substantial harm to the special interest and significance of the conservation area as a whole.
 7. In these circumstances paragraph 134 of the National Planning Policy Framework says that the harm should be weighed against the public benefits of the proposal. I acknowledge that the application is supported by a letter from the appellant's GP but the letter does not specifically explain why the 2nd floor would be beneficial to the appellant's health condition. In consequence I do not consider that the public benefits of the proposal outweigh the harm I have found.
 8. I therefore conclude that the proposed development would neither preserve nor enhance the character or appearance of the Staithes Conservation Area. Consequently, it would conflict with the North York Moors National Park Authority Local Development Framework Core Strategy and Development Policies, 2008 (CS) Core Policy G and Development Policies 3, 4 and 19 which, in combination, seek to protect conservation areas and the appearance of buildings. It would also conflict with the Council's Design Guide Supplementary Planning Document Parts 1 and 2 and the Staithe's Conservation Appraisal which have similar aims and objectives.
 9. I appreciate that the appellant contacted the authority about the proposal before the application was submitted but I must base my decision upon the plans before me.
 10. For the above reasons the appeal is dismissed.

Siobhan Watson

INSPECTOR