
Appeal Decision

Site visit made on 18 October 2017

by David Cross BA (Hons), PGDip, MRTPI

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

Decision date: 5 December 2017

Appeal Ref: APP/W9500/D/17/3179547

Timber House, Hutton Village Road, Guisborough, North Yorks TS14 8EW

- 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 Shaun Muir against the decision of North York Moors National Park.
 - The application Ref NYM/2017/0058/FL, dated 17 February 2017, was refused by notice dated 13 April 2017.
 - The development proposed is construction of a replacement garage/store.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The site is within the Home Farm and Hutton Hall Conservation Area (CA). Under section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 I am obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. Mindful of this, I requested that the Authority provide a copy of the CA Appraisal. Both parties have been provided with an opportunity to comment on this and I have taken account of the comments raised in reaching my decision.
3. In section E of the Appeal Form the appellant confirms that the description of the development has changed from that stated on the planning application form and I note that the wording provided by the appellant reflects that used by the Authority on the decision notice. I have therefore used this description in the heading above.

Main Issue

4. The main issue in this appeal is the effect of the proposal on the character and appearance of the host property and its setting, with due regard to the location of the site in the Home Farm and Hutton Hall Conservation Area.

Reasons

5. Timber House is a substantial dwelling set in an extensive garden and adjacent fields. The CA Appraisal identifies the dwelling as being a 'building of local significance', although I acknowledge that Timber House would appear to have been significantly extended and remodelled since the publication of the Appraisal. Nevertheless, it remains an imposing and significant structure

within its own space and setting, which is also identified by the Appraisal as a characteristic setting for buildings within the CA and which contributes to the importance of the CA as a designated heritage asset.

6. At approximately 7m high and with a floor area of approximately 150m² the proposal would represent a building of a substantial height and bulk. It would be a dominant feature on the approach to the dwelling and would be prominent in views from a public footpath which passes in close proximity to the site. Furthermore, the obtrusive appearance of the proposal would be exacerbated through the use of domestic features such as windows and a portico, which would detract from the subsidiary utilitarian nature of the proposal. The appellant has suggested that the windows could be removed by condition. However, even if I were to conclude that such a condition would be reasonable as a minor modification, the removal of the windows would not address my concerns in relation to the scale and design of the proposal, including the use of a portico.
7. The proposal would be located within a cluster of smaller outbuildings some distance away from the host dwelling. Whilst these outbuildings are of a relatively utilitarian appearance, they are of an informal and understated character and do not detract from the setting of the more imposing building of Timber House. In contrast the proposal would include features such as windows and a portico which would give the building a more domestic character. Whilst the portico may reflect elements of the design of the main dwelling, the incorporation of this feature within the proposal emphasises its domestic character. When combined with the scale of the proposal, the design of the building would be at odds with the understated character of the buildings around it and would create an over-dominant focal point on the approach to the dwelling.
8. Although the site is well screened in views from the surrounding area by the host dwelling and landscaping, I saw that the building would be a prominent feature from an adjacent public footpath. I note that the appellant contends that this footpath is little used, although no evidence is provided to support this. However, notwithstanding the popularity of the path, the building would be readily visible from the public right of way and would appear as an obtrusive and incongruous feature to people passing along the path.
9. Although the proposal would be smaller than Timber House, I saw that the host dwelling is a building of a considerable scale and massing. The fact that the proposal would be significantly smaller than such a dwelling does not overcome the impact arising from the size and design of the proposal. Even within the context of a self-contained site containing a dwelling of a significant scale, the proposal would appear as an obtrusive building of a contrived domestic character rather than appearing as a subsidiary outbuilding.
10. I am mindful of the circumstances of the appellant and his family, including the storage requirements for grounds maintenance vehicles and increased security. However, these personal circumstances are not sufficient to outweigh the harm that I have identified.
11. For the reasons stated above, I conclude that the proposal would be of a scale and design which would harm the character and appearance of the host property and its setting. Thus I consider that the proposal would be contrary

to Development Policies 3 and 19 of the Core Strategy¹ which, amongst other things, seek to ensure that development is of a scale and design which does not detract from the original dwelling or its setting in the landscape. The proposal would also be contrary to the advice of the Extensions and Alterations to Dwellings Design Guide² in respect of the siting and design of garages and outbuildings.

12. Furthermore, I conclude that the proposal would fail to preserve or enhance the character and appearance of the CA. Whilst the harm to the CA would be less than substantial there are no public benefits arising from the proposal that would outweigh this harm. The appellant takes the view that the Authority is satisfied with the proposal in terms of its impact on the historic landscape and the CA, partly on the basis that the Authority has not referred to policies which address conservation areas in its decision. However, as stated above, I am obliged to pay special attention to the desirability of preserving or enhancing the character or appearance of the CA. I also note that the Authority requested that I enter the site to assess the impact on the character of the CA in its response to question 4.a of the Questionnaire.
13. The site is within the North York Moors National Park and I am mindful that Paragraph 115 of the National Planning Policy Framework (the Framework) states that the conservation of cultural heritage should be given great weight in National Parks. I therefore consider that the proposal would also conflict with the provisions of the Framework in respect of its location within the National Park and the harm it would cause to the CA as a designated heritage asset.
14. For the reasons given above, and taking account of all material planning considerations, I conclude that the appeal should be dismissed.

David Cross

INSPECTOR

¹ North York Moors National Park Authority Core Strategy and Development Policies 2008.

² North York Moors National Park Authority Design Guide Part 2: Extensions and Alterations to Dwellings Supplementary Planning Document 2008.