



---

## Appeal Decision

Site visit made on 20 November 2020

**by David Cross BA(Hons) PgDip(Dist) TechIOA MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 7 December 2020**

---

**Appeal Ref: APP/V0728/D/20/3258592**

**7 Rifts Avenue, Saltburn By The Sea TS12 1QE**

- 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 Mrs Joanna Castor against the decision of Redcar & Cleveland Borough Council.
  - The application Ref R/2020/0145/FF, dated 16 March 2020, was refused by notice dated 18 June 2020.
  - The development proposed is alterations to roof to facilitate loft conversion including rear dormer extension and to form additional bedroom with en-suite and study.
- 

### Decision

1. The appeal is dismissed.

### Preliminary Matter

2. The description of the development provided on the planning application form has been replaced by an amended version on the decision notice and in subsequent appeal documents. I consider that subsequent description to accurately represent the proposal and I have therefore used it within this decision.

### Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the host property and the streetscape.

### Reasons

4. The appeal site is one of a pair of semi-detached houses with hipped roofs. Although there are a variety of building and roof designs along Rifts Avenue, most dwellings are of a hipped roof design.
5. The conversion of the hipped roof to a gabled design would give rise to a significant change in the appearance of the roof which would adversely impact upon the character and appearance of the host building. In particular, it would unbalance the symmetrical nature of the semi-detached buildings of which it forms a part. Even within the varied context of designs of buildings along Rifts Avenue, the proposal would be at odds with the prevailing roofscape along this side of the road. Whilst the appeal proposal would not be visible from main roads, it would be readily apparent as an incongruous feature in views along the streetscape from the north as well as from the front of the site.

6. The appellant has provided photographs of varying roof designs in the area. However, I have not been provided with details of the circumstances that led to these developments gaining approval, and indeed some serve to confirm the harm arising from unsympathetic roof designs. In any event, I have determined this appeal on its own merits.
7. My attention has been drawn to the personal circumstances of a member of the appellant's family, and the appellant submits that the proposal would enable the family to remain at the house. In considering this appeal I have had due regard to the Public Sector Equality Duty (PSED) contained in the Equality Act 2010 which sets out relevant protected characteristics, including disability. Whilst I am mindful of the needs of the family member, it has not been demonstrated that the proposal is designed to specifically address their needs or that they cannot be met by a more acceptable scheme. The PSED considerations do not outweigh the significant harm that I have identified, and following careful consideration of these particular matters I am satisfied that the impact of dismissing this appeal is proportionate and justified.
8. Reference has been made to a number of criteria relating to permitted development rights. However, this appeal relates to a refusal of planning permission and I have determined this appeal on that basis. A 'fallback' scheme relating to the extent of alterations possible under the property's permitted development rights, particularly in relation to the roof, has not been provided to me. Consideration of these matters does not lead me to a different conclusion in respect of the harm arising from this proposal.
9. I acknowledge that the property is not a Listed Building or within a Conservation Area, but this does not reduce the significant weight I give to matters of character and appearance. I am also mindful that residents may wish to make alterations to their properties, and the wish of the appellant and her family to remain in this area, but these benefits do not outweigh the harm I have identified.
10. I conclude that, due to its design, the proposal would lead to significant harm to the character and appearance of the host property and the streetscape. It would therefore be contrary to the design requirements of policy SD4 of the Redcar and Cleveland Local Plan 2018. There are no material planning circumstances of such weight that indicate that this appeal should be determined otherwise.
11. The Council refers to the advice of its Residential and Alterations Supplementary Planning Document 2013 regarding side extensions, although this does not relate to the circumstances of this proposal. Nevertheless, this does not negate my conclusions in respect of this appeal.
12. For the reasons given above, I conclude that the appeal should be dismissed.

*David Cross*

INSPECTOR