
Appeal Decision

Site visit made on 11 February 2022

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2022

Appeal Ref: APP/W9500/D/21/3285295

75 High Street, Castleton, Whitby YO21 2DB

- 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 Sandy Fitton against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2021/0371/FL, dated 6 May 2021, was refused by notice dated 28 July 2021.
 - The development proposed is a single storey rear extension and dormer window to front.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal was the subject of amended plans following the submission of the application. Accordingly, I have considered this appeal on the basis of the plans and details upon which the National Park Authority (NPA) made its decision.

Main Issues

3. The main issues of the appeal are:
 - The effect on the character and appearance of the host property and the area, and;
 - The effect on the living conditions of occupiers of neighbouring properties, with particular regard to No. 77 High Street (No 77) and matters of outlook.

Reasons

Character and appearance

4. No 75 High Street (No 75) is a two-storey terraced house within a row of seven properties that have a broad consistency of front building lines despite gradual differences in height and set back from the road. The differences arise from a gentle curve in the road alignment and changes in land levels. The properties within the terraced row are in an elevated position relative to High Street and have characteristic features such as two storey front flat roofed bay window elements. However, steeply upward rising land levels along the road, result in variations in slab levels, roof eaves and ridge heights within the terrace.
5. The transition of building heights along the terraced row is reflected in the stepped arrangement and balanced appearance of three pairs with opposite

handed projecting bay windows and shared front porches (Nos. 73 and 75, 77 and 79, 81 and 83), before a final step up to an individual property (No 85). The stepped rhythm of the terrace visible from High Street prevails despite some differences in colour of render, other facing materials, roof tiles used and the presence of rooflights. A degree of harmony is also maintained along the rear elevations, including the presence of shared single storey rear outriggers. However, divergent features are more noticeable at the rear such as solar panels and a rooflight at No 75, a rear dormer at No 81 and additions beyond the outriggers and at their side, such as a raised deck at No 77.

6. Strategic Policy C of the North York Moors NPA Local Plan (LP), adopted July 2020, amongst other things, seeks high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North Yorks Moors NPA Design Guide (Design Guide). The policy includes relevant requirements to matters of character and appearance such as incorporating good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular. This includes the scale, height, massing and form of the proposal being compatible with surrounding buildings.
7. Policy CO17 of the LP specific to householder development, requires full account be taken of the character of the local area and the special qualities of the National Park. It indicates that development within the domestic curtilage of dwellings will only be permitted where, amongst other things, the scale, height, form, position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. This includes for extensions and alterations to an existing dwelling; being clearly subservient to the main part of the building; and that the design and detailing should complement the architectural form and character of the original dwelling. The associated Design Guide Part 2: Extensions and Alterations to Dwellings, amongst other things, makes clear that the use of dormers on the front elevation will generally be inappropriate unless the street or local area is characterised by existing dormers on the front elevation.
8. The front elevations of the terrace of which No 75 forms part are visible from High Street and the National Park landscape beyond given their prominent position toward a valley ridge. As mentioned, the properties have a strong and characteristic rhythm that prevails despite variations in slab and land levels and some differences in materials. This is due to a combination of balanced proportions, the sequencing of shared entrances and alternating fenestration including two storey bay windows. Those features are complemented by the simple and largely uncomplicated stepped profile of roof slopes that transition with upward sloping land levels via progressive wall upstands.
9. The front dormer window as proposed would be relatively small in terms of the overall size of the existing front roofslope of No 75 and would consist of a traditional pitched roof design which I observed are an intermittent feature of a variety of semi-detached, detached properties and flatted development in the wider National Park landscape. Furthermore, the dormer is proposed to match the existing dwelling in terms of its external materials which would reduce its prominence in that wider landscape. Nonetheless, the roofscape of the dwelling and the terrace when viewed from High Street are largely unaltered, apart from rooflights at Nos. 81 and 85, which is a distinctive and important characteristic of its relationship with the local street scene.

10. It follows that the introduction of a front dormer would result in an incongruous and disruptive element of the roofscape because of its prominent position on the front of the dwelling. This would be incompatible with the remainder of the terrace and, as such, would unacceptably harm the local street scene. In reaching that view, I have taken account of limitations on the property to alternatively provide a rear dormer due to the presence of existing solar panels. I also note the perceived benefits of a front dormer offering extra living space and enhanced views for residents of the open countryside beyond High Street that forms part of an attractive National Park landscape. However, those private benefits do not override the harm upon the character and appearance of the host dwelling and the surrounding terrace that I have identified.
11. Turning to the single storey rear extension, the consistency of position, width, design and form of the shared rear outriggers along the terraced row maintains a characteristic rhythm and pattern of gaps in built form at ground floor level. The established architectural features make a positive contribution to the character of the existing properties and the area, despite differences in land levels, a variety of single storey additions and outbuildings beyond the outriggers and the presence of some raised decking areas between outriggers and shared boundaries.
12. The proposed single storey rear extension comprises a side return adjoining the single storey shared outrigger with No 73 and, thereby, would infill the existing gap between the common boundary with No 77. The infilling of the gap from the outrigger at No 75 up to the boundary with No 77, as proposed would include a glazed roof lantern and otherwise flat roofed section adjoining and altering the existing roof eaves height of the shared outrigger. The resultant effect would be an awkward and incompatible relationship with the main dwelling and surrounding properties. The incongruity of the extension would be emphasised by the discordant proportions and positioning of windows in the rear elevation when viewed against the resultant form of the shared outrigger, together with the alterations to use of facing brick in contrast to the rendered rear elevation of the main dwelling at first floor level. The consequent inharmonious appearance of the extension, when all of those factors are taken together, would also disrupt the characteristic sequencing and form of shared outriggers within the terrace, causing significant harm to both the character and appearance of the host property and that of the surrounding terrace.
13. In reaching the above findings, I have taken into account that the extension would be screened from High Street and its street scene by the terraced row and surrounding properties. Furthermore, it would not be visually prominent within the wider landscape towards the rear due to differences in land levels and a mix of trees and landscaping screening beyond the residential curtilages of the terraced row. However, the absence of visibility from public vantage points does not justify the harm otherwise identified and the failure to achieve a high-quality design to reflect and complement the architectural character and form of the original building and/or that of the local vernacular.
14. There are a wider variety of properties along High Street including bungalows, detached and semi-detached dwellings and flats of varied architectural styles, building lines and proportions. I also observed examples of existing front and rear dormers and rear extensions in the surrounding area. However, those features, and their relationships with the character of their host dwelling and surrounding properties are different to the proposal before me. In any case,

their presence does not justify the harm identified, nor do the letters of support from neighbours.

15. I conclude that the proposed development would significantly harm the character and appearance of the host property and the area. The proposal, therefore, conflicts with the requirements of Strategic Policy C and Policy CO17 of the LP, and associated guidance in the Design Guide Part 2: Extensions and Alterations to Dwellings. The policies are consistent with the National Planning Policy Framework (the Framework) in seeking to achieve well-designed places.

Living conditions - neighbouring properties

16. Strategic Policy C and Policy CO17 of the LP, when taken together, also require that proposals will not have an adverse impact on the amenities of adjoining occupiers. In that respect, it is common ground between the parties that the dormer window to the front as proposed would not harm the living conditions of neighbouring properties in terms of outlook, light and privacy. I have no reason to take a different view given that the dormer would be located within the existing front roofslope and facing the open countryside landscape beyond.
17. The NPA's specific concerns relate to the single storey rear extension and its relationship with No 77. Based on the evidence, the extension would be approximately 2.6m in height adjoining the shared boundary up to the depth of the existing outriggers. However, the difference in floor levels between the properties is considerable which results in the neighbouring windows and doors of No 77 being located significantly higher than No 75. As such, the difference in levels would result in only a limited proportion of the upper segment of the side wall being visible for occupiers of No 77 above the existing boundary wall and fence. Consequently, despite the considerable rear projection of the extension in close proximity to the shared boundary, the variation in land levels would ensure that the limited scale, bulk and massing of built form visible from No 77 would not have a significant overbearing effect upon or loss of light to the nearest habitable room, its raised decking area or the rear garden beyond. The lack of windows facing No 77 would also prevent any loss of privacy, whilst the matching depth with the shared rear outrigger would prevent any adverse impact upon occupiers of No 73.
18. I conclude that the development would not have a harmful impact upon the living conditions of occupiers of neighbouring properties. The proposal, therefore, would not conflict with Strategic Policy C and Policy CO17 of the LP in that respect. The policies are consistent with the Framework insofar as it seeks a high standard of amenity for all existing and future users of places.

Conclusion

19. I have found no harm with respect to the effect of the development on the living conditions of occupiers of neighbouring properties. However, the harmful effect upon the character and appearance of the host property and the area is decisive upon the outcome of this appeal and reflects conflict with the development plan and the Framework that is significant and overriding.
20. For the reasons given above, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR