



Appeal Decision

Site visit made on 31 July 2024

by M Clowes BA (Hons) MCD PG CERT (Arch Con) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 8th August 2024

Appeal Ref: APP/W9500/D/24/3340584

Underhill Cottage, Blue Bank, Sleights, Whitby, North Yorkshire YO22 5EU

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Mr A Hodgson against the decision of North York Moors National Park Authority.
 - The application Ref is NYM/2023/0784.
 - The development proposed is first floor rear extension with inverted balcony (revised scheme to NYM/2023/0276).
-

Decision

1. The appeal is dismissed.

Main Issue

2. The main issue in relation to this appeal is the effect of the proposed development upon the character and appearance of the host dwelling and the area.

Reasons

3. The appeal site comprises a modest 2-storey farmhouse of a traditional linear plan form, with 2 single storey outshots. One to the south is used as an independent holiday let and one perpendicular to the east forms part of the host dwelling. Opposite lies a traditional single storey former barn, also converted to a holiday let. Together, the grouping forms an example of a former farm holding characteristic of the National Park, that contributes positively to the rural character and appearance of the area.
4. Strategic Policy C of the North York Moors National Park Authority (NPA) Local Plan (LP) 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 York Moors NPA Design Guide. The policy includes requirements related 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.
5. Policy CO17 of the LP is specific to householder development and 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 (Design Guide) 2008, amongst other things, advises that extensions should appear subservient to the host dwelling.

6. Policy CO12 of the LP permits the conversion of buildings within the countryside subject to compliance with a number of criteria. These include but are not limited to, the building being of architectural or historic interest and making a positive contribution to the landscape, and is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings. The supporting text to this policy clarifies that in instances where a building has already been converted and a proposal relates to further alterations or extensions, the NPA will apply the criteria of Policy CO12 to ensure that the original character of the building is not lost.
7. The parties dispute whether the eastern outshot can be considered to be a former agricultural building. The appellant's evidence regarding the use and age of the eastern outshot is ambiguous, both simultaneously advising that it is a more recently constructed building¹ and that it may have comprised former outbuildings now converted to residential use².
8. The stonework for the outshot suggests it has been altered over time, as is common practice for buildings to be adapted to meet changing needs. Materials may also have been quarried from other structures elsewhere, including the suggested benchmark in the lintel above the undercroft door. Such alterations do not however, indicate that the outshot is not original, nor that it was not formerly used for agricultural purposes.
9. It seems to me, from its position, single storey form, solid stone construction³ and architectural detailing, including surviving pig troughs and stone flooring to the undercroft, that it was formerly a vernacular agricultural building. Even if features have been altered or moved, the plain, functional appearance would be consistent with a former agricultural use. No compelling evidence by way of a building survey or archaeological report has been presented to lead me to a different view. A full storey addition above the existing eastern outshot would evidently be a significant extension. Moreover, balconies and extensive glazing are typically domestic in nature such that the proposal would harm the character of the building, failing to comply with Policy CO12 as a result.
10. Even if the eastern outshot was not formerly an agricultural building, Strategic Policy C and Policy CO17 require new development to complement and not detract from, the character and form of the original dwelling in terms of scale, form and design. At present the hierarchy of the 2-storey farmhouse and single storey outshots is clear.
11. Whether or not the proposed increase in height of 1.2m could be considered to not be a substantial increase⁴, due to the long projection from the host dwelling, building above the existing eastern outshot would substantially increase its overall bulk and scale. Hence, it would become comparable in size to the original dwelling. The change in land level would exacerbate the dominance of the extended outshot such that the clear hierarchy and the

¹ Paragraph 3.11 of the appellant's grounds of appeal.

² Paragraph 3.13 of the appellant's grounds of appeal.

³ As observed during my visit adjacent to the under-croft door.

⁴ Paragraph 2.5 of the appellant's grounds of appeal.

subservient relationship between the host dwelling and outshot would be substantially eroded. This would not be mitigated by the stepped design of the extension including a lowered ridge height.

12. The expansive gap and associated glazed guard rail that would be created at first floor level to form a covered balcony, would be squashed in above the existing ground floor window, such that it would overwhelm and dominate the eastern gable⁵. A cluttered appearance would ensue, in contrast to the balanced proportions and high wall to window ratio that characterises both the host dwelling and the 2 outshots.
13. The combined scale and detailed design would result in an incongruous and disproportionate extension. The absence of visibility from public vantage points does not justify the harm identified, and the failure to achieve a high-quality design to reflect and complement the architectural character and form of the host dwelling. In any case, the development would be visible to the occupants of the neighbouring holiday lets and nearby dwelling.
14. The setting of all existing and proposed windows and doors into deeper reveals would be positive alterations. However, they would not mitigate or reduce the overall scale, depth and bulk of the proposed extension and how it would be viewed in relation to the host property. The use of matching stonework and rise and fall brackets are to be expected of new development, particularly within the rural context of the National Park.
15. The proposal would significantly harm the character and appearance of the host property and the area. The proposal would therefore conflict with the requirements of Strategic Policy C, Policy CO12 and Policy CO17 of the LP, and associated guidance in the Design Guide, as set out above. Conflict is also found with the Framework which seeks to achieve well-designed places.

Other Matters

16. It has been suggested that the current impractical layout of the dwelling would be more useable. Other than providing a bedroom in lieu of a smaller one and creating a small office which would be of benefit to the appellant, the layout of the existing dwelling would not change significantly. It has not been shown that this benefit could not be achieved by other, less harmful means, including that previously suggested by the Authority⁶. I afford these matters limited weight in my consideration, along with the occupation of the host dwelling as a principal residence.
17. This proposal has sought to address concerns raised following the refusal of a previous scheme⁷. It does not however automatically render it acceptable. I have found that this proposal would be harmful for the reasons given.
18. Reference is made to 2 appeal decisions considered to be of relevance. The main issue in appeal decision APP/W9500/D/21/3283169 was whether the proposal would have a detrimental impact on the mix of dwelling types needed to sustain balanced communities. The proposed extension was found to be subservient and to respect the form and character of the main dwelling. In appeal decision APP/W9500/W/22/3290389 it is clear from the description of development that the proposal was for the erection of a single storey

⁵ As shown on the proposed rear first floor extension drawing (Rev A).

⁶ As referenced at paragraph 2.7 of the appellant's grounds of appeal.

⁷ Planning application reference number NYM/2023/0276 as referred to in the Authority's officer report.

extension. The referenced appeals do not indicate the same type of proposal or context of the appeal before me, such that they are not comparable.

Planning Balance and Conclusion

19. The proposed development would cause substantial harm to the character and appearance of the host dwelling and area, that would not be outweighed by the limited weight attached to the suggested benefit of a larger dwelling. It would conflict with the development plan and there are no material considerations, including the Framework, which would indicate a decision other than in accordance with it. The appeal is dismissed.

M Clowes

INSPECTOR