

Appeal Decision

Site visit made on 5 September 2024

by Graham Wraight BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 26 September 2024

Appeal Ref: APP/U2750/D/24/3344068

Verwell House Farm, Church Hill, Reighton, Filey, North Yorkshire YO14 9RX

- 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 & Mrs Hawkes against the decision of North Yorkshire Council.
 - The application Ref is ZF23/02113/HS.
The development proposed is alterations to windows, doors, gables, main roof, side roof, rear projection roof and dormer. Installation of rear and side skylights and dormers. Erection of rear porch. Installation of external insulation and re-rendering.
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Decision

1. The appeal is allowed and planning permission is granted for alterations to windows, doors, gables, main roof, side roof, rear projection roof and dormer. Installation of rear and side skylights and dormers. Erection of rear porch. Installation of external insulation and re-rendering at Verwell House Farm, Church Hill, Reighton, Filey, North Yorkshire YO14 9RX in accordance with the terms of the application, Ref ZF23/02113/HS subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos 2112D 3 Rev B, 2112D 4 Rev C and 2112D 6.
 - 2) The building shall be re-rendered with either a white or cream external colour finish.

Applications for costs

2. An application for costs was made by Mr and Mrs Hawkes against North Yorkshire Council. This application is the subject of a separate Decision.

Preliminary Matters

3. The description of development given on the decision notice and throughout the appellant's appeal submissions differs from that stated on the planning application form. As the amended description includes all of the development referred to in the appellant's appeal submissions and shown on the plans, I have used that description in the banner header above and in the formal

decision. I have however omitted reference to part of the work being retrospective as that is not a form of development.

4. As noted, elements of work have already been undertaken to the appeal property. However, whilst some of these works are shown on the submitted plans, the plans also show an alternative schedule of works for some of the other elements described. For the avoidance of doubt, I have made my determination of the appeal on the basis of what is shown on the plans.
5. In accordance with the statutory duty set out in Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have paid special attention to the desirability of preserving or enhancing the character or appearance of the Reighton Conservation Area (CA).
6. In accordance with the statutory duty set out in Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving St Peter's Church and the Old Vicarage (Nos. 1 and 2 Church Hill), or their setting or any features of special architectural or historic interest which they possess.

Main Issue

7. The main issue is the effect of the alterations to the main roof of the dwelling on the character and appearance of the host property and the CA.

Reasons

8. There is little before me setting out what the significance of the wider CA is. However, in the area closest to the appeal site there is a cluster of buildings of historical and architectural interest arranged alongside the public highway. This includes the appeal property, a former farmhouse which occupies a prominent position on a bend in Church Hill directly on the back edge of the footpath, with both sides of the building and its frontage visible in many public views. Although not listed, it is a building of some considerable age built using locally distinctive materials and it is of a local vernacular design. It is highlighted as being an important building in the CA and as a whole it makes a positive contribution to the character and appearance of the CA and to its significance.
9. The main part of the roof of the farmhouse forms two narrow gables, to its east and west sides. The gable to the west retains its chalk and tumbled brick construction fully exposed. This is an important feature in the Church Hill street scene and is notable by its inclusion in the Residential Design Guide Supplementary Planning Document 2022 (SPD) as an example of that type of local construction. The gable to the east has however been partially rendered, apparently for some considerable period of time, meaning that its materials of construction are not fully evident. It is proposed that the east elevation would be rendered, but the west elevation retained as is.
10. The proposed dormer to be located to the western elevation would be set in from the gable by 500mm. As the gable has visibility from the footpath alongside Church Hill, even with the set in the dormer would be visible in the street scene. However, because of its positioning and its limited size it would not be an intrusive feature. My attention has also been drawn to other examples where rear dormers are present in the CA and as such a rear

dormer would not in itself be an unusual addition to the designated area. Importantly, the primacy of the west gable would be retained in views taken from Church Hill and the dormer would not overall result in harm to the character and appearance of the host property or the CA. Although the plans show it would have a barge board to its side, this would not be significant in size and would not compromise the visual integrity of the main gable which would not have a barge board. The dormer would also hide the interface between the outrigger roof and the main roof in views from the west.

11. The change to the eastern gable has already taken place. This gable is clearly visible in views looking down Church Hill, albeit currently screened partially from longer views by vegetation within the appeal site. These works are more substantial in their scope than that to the western side and have altered the pitch of the roof resulting in an asymmetrical gable and replacing a rear 'kick' roof. Although the Council accepts that the kick roof was not an original design feature of the dwelling and likely dates from the 1980s, it appears that the building did have some kind of cat-slide rear roof prior to this. Whilst the Council express a preference for the reinstatement of the kick roof, they have provided no evidence to suggest that this feature, or indeed cat slide roofs, are characteristic of the CA.
12. The matter at hand is therefore whether the change to this gable has resulted in harm. It is evident that, prior to the works subject to this appeal taking place, the eastern side of the property did not appear as a neat, symmetrical gable in the way that the western side of it did. Furthermore, the chalk and tumbled brickwork was not readily appreciable because of the render that was present. The appeal development has certainly increased the bulk of the side elevation of the dwelling, and this is visible in the street scene. But large and dominant gable ends are present in the vicinity, including asymmetrical gables such as the one of *The Old Shop* that frames views looking towards the appeal site from the bend in Church Hill.
13. In that context, the eastern gable does not appear out of place or unusual, and accordingly it does not result in harm to the character and appearance of the host building or to the CA. The interface between the main roof and the outrigger is not visible in the street scene from this direction. It is in fact only visible from areas to the rear and does not appear prominently in public views. But, in any event, it does not have a harmful effect on the character and appearance of the host property or the CA, replacing what was an inferior roof interface in both aesthetic and functional terms. I am satisfied that the interconnection of the proposed sledge dormer with it would also not have a harmful impact in such views either.
14. For these reasons, I conclude that the development when completed in accordance with the submitted plans would not result in harm to the character and appearance of the host property or to the CA. Consequently, it accords with Policies DEC1 and DEC5 of the Scarborough Borough Local Plan 2017 where they seek to promote good design and to safeguard the historic environment. There would also be no conflict with the aims of the SPD where it too seeks to ensure that new development is of an appropriate design.

Other Matters

15. The adjacent buildings at The Old Vicarage at 1 Church Hill and The Old Vicarage at 2 Church Hill are grade II listed buildings. The nearby Church of St Peter is a grade II* listed building. The Council does not consider that there would be any harm caused to the setting of those buildings as a result of the appeal development. Conscious that I have found that the development is acceptable in visual terms and would not cause harm to the character and appearance of the host building, I find no reason to disagree with that conclusion.
16. The scope of the works described and shown on the plans submitted extends beyond those which are the matters of dispute between the main parties. Having considered each of those other works I am satisfied that they do not, or would not, give rise to harm to the character and appearance of the host property or the CA, nor result in any harm to the setting of the adjacent listed buildings.

Conditions

17. It is not necessary to impose a condition setting out the period of time to commence the development, as parts of the proposal have been begun. In order to provide certainty, it is however necessary to impose a condition setting out the approved plans.
18. The Council suggest a condition be imposed requiring the use of materials to match those of the existing dwelling, however where works shown on the submitted plans have already been undertaken these have used acceptable materials. The plans for the most part show the intended materials of the proposed elements that would have the most impact because of their size and/or visibility.
19. They do not however indicate the colour of the render to be applied, although there is reference to this being cream or white in the written submissions, either of which would be visually appropriate. Given the prominence of the site and its sensitivities within the CA, it is reasonable and necessary to impose a condition securing either a cream or white finish.

Conclusion

20. For the reasons given above, the appeal should be allowed.

Graham Wraight

INSPECTOR