



Appeal Decision

Site visit made on 3 March 2025

by R Bartlett PGDip URP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12th March 2025

Appeal Ref: APP/W9500/D/24/3349646

Dilston House, Village Green Drives, The Green, Goathland, North Yorkshire, YO22 5LY

- 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 J Wood against the decision of North York Moors National Park Authority.
 - The application Ref is NYM/2023/0719.
 - The development proposed is demolition of rear outbuildings/shed and construction of two storey rear extension.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The site is located within Goathland Conservation Area (GCA) wherein there is a statutory duty to preserve or enhance the character or appearance of the CA. The Council has not identified any harm to the GCA and I have no reason to reach a different view on this matter.

Main Issues

3. The main issues are the effect of the development on i) the character and form of the host building and ii) the living conditions of occupiers of the adjoining dwelling with regard to outlook.

Reasons

Character and form

4. The appeal site forms part of a pair of two-storey semi-detached houses with rooms in the roof space, served by small dormer windows and a front gable window. Both houses remain relatively uniform in terms of their appearance apart from having differing single storey extensions and outbuildings to the rear.
5. There are some discrepancies between the existing plans and what I saw on site, in terms of windows missing and in the wrong place on the side elevation and the eaves height of the front gable projection being incorrect on the side elevation plans. The proposed second floor plan also fails to show how the additional floorspace created by the extension would be used, despite a gable window and rooflight being shown to serve this space in the proposed elevation drawings. The side elevation shows the ridge height of the front and rear gables being the same, whereas the front and rear elevation show the rear gable as having a lower ridge height to that at the front. No sections showing floor to ceiling heights in the roof space of the extension been provided.

6. I acknowledge that the originally submitted scheme was reduced in scale in an attempt to address concerns raised by the National Park Authority, that the proposed extension would be slightly inset from either side of the house, and that the ridge height of the extension would be lower than that of the main house. Nevertheless, the extension would still span almost the entire rear elevation of the house and would replace the original roof slope and modest dormer window with a substantial gable projection.
7. The Design, Access and Heritage Statement submitted with the original plans states that the extension would not increase the habitable floorspace of the house by more than 30 percent. It is unclear what space the calculations provided include or why no additional floor space has been calculated for the second floor. However, even if the proposal would not increase the dwelling by more than 30%, this would not outweigh my concerns in relation to the fact the two and a half storey extension would span almost the whole of the rear elevation, and consequently, unlike the front gable projection, the proposal would not appear subordinate or sympathetic to the main house.
8. The existing timber outbuildings, despite being in a poor state of repair, are small and unassuming. They reflect the rustic rural character of the area and do not harmfully detract from the original rear elevation and roof form of the dwelling. Their removal would not amount to a public benefit that would justify the harm that would arise from the proposal. Likewise, there would be no public benefit to the removal of the large bay window to the rear of the house, which is not causing any harm. Furthermore, there is no reason why the appellant cannot remove any of these existing features if they are no longer required or fit for purpose.
9. I therefore conclude that due to its scale and height, the proposed rear extension would dominate the rear elevation of the original dwelling resulting in harm to its character and appearance. This would be contrary to Strategic Policy C and Policy CO17 of the North York Moors National Park Authority Local Plan (July 2020) (the local plan), which require amongst other things that new development is of high quality design that reflects and complements the architectural character and form of the original building. The proposal would also conflict with Part 2 of the Council's Design Guide, which is a material consideration and requires that rear extensions are subservient to the host dwelling.

Living conditions

10. The adjoining semi-detached dwelling, Kirkdale House, has a sunroom, with clear glass windows facing the site, and decking to the rear, both of which are adjacent to the shared boundary. The submitted scanned drawings, which do not include dimensions or a scale bar, fail to show the close proximity of windows in the adjoining property. As such accurate calculations cannot be made.
11. Based upon the information before me and my observations on site, it would appear that the proposed two-storey rear extension, due to its depth and proximity to the shared boundary, would fall within the 45 degree zone, when measured from the centre of the nearest habitable room windows in the adjoining property.
12. As a result of this, the extension would result in an unacceptable loss of light to Kirkdale House and would appear overbearing to occupiers of that property when viewed from its ground and first floor rear windows and decking. This would be exacerbated by the two-storey height of the proposal.

13. Whilst I acknowledge that there are existing projections to the rear of Dilston House, these comprise a glazed bay window, which is small in scale and allows light to pass through, and single storey outbuildings that are set approximately 5 metres away from the shared boundary. I am aware that a ground floor extension, projecting no more than 3 metres from the original rear elevation of the house, and not exceeding 3 meters in height to the eaves within 2 metres of the boundary, could be constructed under permitted development rights. However, that would be very different to the proposal currently before me, particularly in terms of light and outlook from the first-floor windows of the adjoining house, which are currently completely unobstructed.
14. I therefore conclude that the proposal would result in harm to the living conditions of occupiers of the adjoining dwelling. This would be contrary to Strategic Policy C and Policy CO17 of the local plan, which require amongst other things that new development would not adversely affect the residential amenity of neighbouring occupiers. The proposal would also conflict with Part 2 of the Council's Design Guide, which requires that rear extensions do not adversely impact on neighbouring properties.

Conclusion

15. For the reasons given above, the appeal is dismissed.

R Bartlett

INSPECTOR