



The Planning Inspectorate

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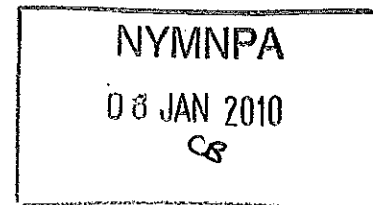
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Mrs F Farnell
North York Moors National Park
Authority
Development Control Support
Officer
The Old Vicarage
Bondgate
Helmsley
York
YO6 5BP

Your Ref: NYM/2008/0907/FL
Our Ref: APP/W9500/A/09/2110942/WF
Date: 8 January 2010

Dear Mrs Farnell

**Town and Country Planning Act 1990
Appeal by Mrs Anne Oddy
Site at Forge Cottage, Egton, Whitby, YO21 1TT**



I enclose a copy of our Inspector's decision on the above appeal.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm. This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 0207 947 6655.

Yours sincerely

Erin Lindell

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Appeal Decision

Site visit made on 1 December 2009

by **Peter Eggleton MRTPI**

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
8 January 2010

Appeal Ref: APP/W9500/A/09/2110942

Forge Cottage, Egton, Whitby, North Yorkshire YO21 1TT.

- 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 Anne Oddy against the decision of North York Moors National Park Authority.
- The application Ref NYM/2008/0907/FL, dated 3 December 2008, was refused by notice dated 18 February 2009.
- The development proposed is the alteration and replacement of three windows.

Decision

1. I dismiss the appeal.

Main Issue

2. The main issue is whether the proposal would preserve or enhance the character or appearance of the conservation area.

Reasons

3. The property lies within the conservation area. This is characterised by the generally simple design and common materials of buildings within this settlement and their predominantly linear form along the village roads. This dwelling was originally the forge. It is visible from the main road but due to its set-back and the existing vegetation, it is not prominent.
4. Although much of the original form of the forge has been retained, its character has been significantly altered by the changes to the openings and the additions of a side extension, front porch and enclosed garden. The proposed simplification of the detailing of the two smaller windows, by replacing the small panes with a single pane, would be more in keeping with the original character and style of this building. The retention of the small paned windows in the extension would however result in a loss of uniformity in the window detail which would be regrettable.
5. The larger window also has small panes but these are contained within the main glazing bars which divide the window into three. This division reduces the perceived scale of the opening and provides a strong vertical emphasis to the window design. The proposed division of this window into two panes would change its perceived proportions, emphasising the size and width of the opening. This would not be in keeping with the character of the other windows of this dwelling or those of other properties in the locality. An increase in its depth, which is proposed in Revision A of the submitted plans, would

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emphasise this further. The unsatisfactory and uncharacteristic proportions would fall between those of a window and a glazed doorway. The Revision B plans shows both the cill of the window and the lintel lowered to retain the existing proportions of the opening. This would not overcome my concern as I consider that a window of this width and length would need to be divided into thirds as now, to achieve a satisfactory appearance.

6. Mention has been made of the potential to extend glazing down to the floor. This would have some reference to the original building which had a wide doorway in this location. Given the changes to the character of this building, such an approach may be acceptable if the proportions and detailing were satisfactory. However, such changes are not before me.
7. I appreciate that the scale of the alterations and their wider impact would be limited due to the lack of prominence of this building and also the screening afforded by the roadside boundary and existing vegetation. However, I find that neither revision represents good design. Furthermore, the proposal could be significantly improved by changes to the fenestration detail and/or to the proportions of the opening. Accepting poor design, even of such limited scale and impact, would erode the character and appearance of this building and cumulatively would be harmful to the wider area.
8. Neither revision A or B of the plans would satisfy Core Policy G of the North York Moors National Park Authority Local Development Framework (LDF) as this seeks high quality design in line with the requirements of *Planning Policy Statement 1: Delivering Sustainable Development* (PPS1). Similar design requirements are also included in Development Policies 4 and 19 of the LDF. I find this proposal to be contrary to these policies. Overall, even when taking into account the improvements to the smaller windows, I consider that the development would fail to preserve or enhance the character or appearance of the conservation area.
9. Concern has been raised with regard to the design of the roof of the newer housing development that lies just outside the conservation area. As this concern does not relate to the window detailing, I do not find it to be directly comparable. In any event, poor design elsewhere would not be a good reason for accepting poor design in this case. I do acknowledge the personal circumstances of the appellant and the improved living conditions that would result from having more convenient views of the front garden whilst sitting in the living room. The weight I can afford to this is however reduced as I consider that the same benefits could be achieved by modifications that would be more in keeping.
10. I conclude that whilst I have considered all the matters put forward by the appellant, I do not find that they are sufficient to outweigh my concerns with regard to the main issue. I therefore dismiss the appeal.

Peter Eggleton

INSPECTOR

