



The Planning Inspectorate

Quality Assurance Unit
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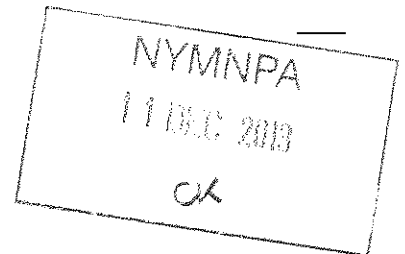
Customer Services: 0303 444 5000

Mrs F Farnell
North York Moors National Park
Authority
Development Control Support
Officer
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP

Your Ref: NYM/2013/0268/FL
Our Ref: APP/W9500/D/13/2205175
Date: 11 December 2013

Dear Mrs Farnell

Town and Country Planning Act 1990
Appeal by Mr S Cooper
Site at 3 Thorpe Green, Fylingthorpe, Whitby, YO22 4TY



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

If this appeal is subject to an application for costs, a decision on any application will follow separately, as soon as possible.

If you have queries or feedback about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at <http://www.planningportal.gov.uk/planninginspectoratefeedback>.

If you do not have internet access please write to the Quality Assurance Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

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 020 7947 6655.

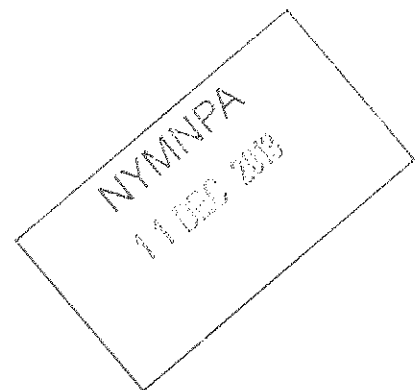
Yours sincerely



David Robinson

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*You can use the Internet to submit and view documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is - <http://www.pcs.planningportal.gov.uk/pcportal/casearch.asp>
You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*





Appeal Decision

Site visit made on 5 December 2013

by **Gary Deane BSc (Hons) DipTP MRTPI**

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

Decision date: 11 December 2013

Appeal Ref: APP/W9500/D/13/2205175

3 Thorpe Green, Fylingthorpe, Whitby, North Yorkshire YO22 4TY

- 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 Mr Steve Cooper against the decision of the North York Moors National Park Authority.
- The application Ref NYM/2013/0268/FL was refused by notice dated 2 July 2013.
- The development proposed is the erection of a single storey rear conservatory.

Decision

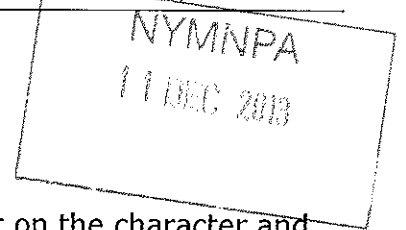
1. The appeal is dismissed.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the host building and the local area.

Reasons

3. The appeal property, 3 Thorpe Green, is an attractive 2-storey dwelling of traditional style and appearance that lies within the village of Fylingthorpe and the North York Moors National Park. It also falls within the Fylingthorpe Conservation Area (CA), wherein new development is required to preserve or enhance the character or appearance of this designated area.
4. The proposal is to erect a conservatory at the back of No 3 following removal of the ground floor rear bay windows, an outbuilding and an external wall. The new addition would be significant in scale, extending across much of the considerable width of the rear elevation. In my opinion, the introduction of a large horizontal feature in this way would visually dominate and be out of proportion with the rear façade of No 3. In reaching this opinion, I have taken into account the noticeable set in from the sides of the main house and the lightweight appearance of the new conservatory with its grey aluminium frame and glass panels in the proposed rear elevation and roof.
5. The relatively wide expanse of glazing in the new conservatory would also disrupt the hierarchy and sense of balance in the fenestration of the rear elevation. In particular, the size and modern style of the four full-length glazed rear windows centrally placed in the new rear elevation, would relate uneasily



with the modest proportions, shape and traditional appearance of the first floor windows above.

6. Taken together, I consider that the proposal would be an incongruous and an over-sized addition that would undermine the architectural style of the host building. By spoiling the intrinsic character of the appeal property, the appeal scheme would diminish the positive contribution of No 3 to the CA and thus fail to preserve the character or appearance of the designated area. Changes to the colours, materials and detailing of the proposed development would not overcome my concerns about the scale of the new addition and its visual impact.
7. Views from public vantage points of the proposed conservatory would be very limited, if at all, given its position at the back of the appeal property, away from public view. Irrespective, the requirement for development proposals to preserve or enhance the character or appearance of the CA applies with equal force whether or not the proposal is prominent or available to public view.
8. A core principle of the Framework is to always secure development of good design, which is a key aspect of sustainable development. It also advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area. For the reasons given, that would be the case with the proposal before me.
9. Against that background, I conclude that the proposed development would cause significant harm the character and appearance of the host property and the local area. Accordingly, it conflicts with Development Policies 3 and 19 of the Authority's Core Strategy and Development Policies. It would also be at odds with the Authority's Supplementary Planning Document, *Design Guide Part 2: Extensions and Alterations to Dwellings*. These policies and guidance aim to ensure that new development achieves a high standard of design, which reflects or complements that of the local vernacular and does not detract from the character, form and setting of the original dwelling.
10. I note the appellant's opinion that planning permission would be likely to be granted for a conventional single storey rear extension of a similar scale with matching external materials. Whether or not that is the case, I have assessed the proposal as it is shown on the plans and described on the application forms lodged with the Authority, as I am required to do.
11. Overall, for the reasons set out above and having regard to all other matters raised, including the absence of objections from others, I conclude that the appeal should be dismissed.

Gary Deane

INSPECTOR

