



The Planning Inspectorate

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Miss F A Ward (National Park Officer)
North York Moors National Park Authority
The Old Vicarage
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York
YO62 5BP

Your Ref: NYM4/029/0466A/PA
Our Ref: APP/W9500/A/02/1093580
Date: 12 November 2002

Dear Madam

TOWN & COUNTRY PLANNING ACT 1990
APPEAL BY MR A WILLIAMSON
SITE AT RAVENSWOOD, MOUNT PLEASANT NORTH, ROBIN HOODS BAY, WHITBY, NORTH YORKSHIRE, YO22 4RE

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

If you have any queries relating to the decision please send them to:

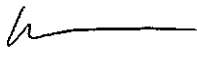
Quality Assurance Unit
The Planning Inspectorate
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Phone No. 0117 372 8252

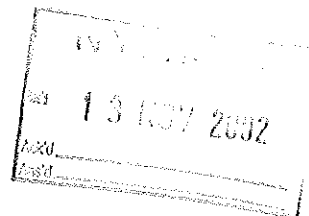
Fax No. 0117 372 8139

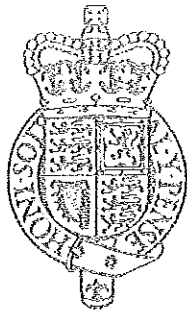
E-mail: Complaints@pins.gsi.gov.uk

Yours faithfully


Mr Tim Mather

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COVERDL1





Appeal Decision

Site visit made on Monday 4 November 2002

by **Roger P Brown** DipArch DipTP ARIBA MRTPI

an Inspector appointed by the First Secretary of State

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Date 12 NOV 2002

Appeal Ref: APP/W9500/A/02/1093580

Ravenswood, Mount Pleasant North, Robin Hoods Bay, Whitby, North Yorkshire YO22 4RE

- 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 A Williamson against the decision of North York Moors National Park.
- The application (Ref. NYM4/029/0466A/PA), dated 7 November 2001, was refused by notice dated 24 April 2002.
- The development proposed is the erection of a conservatory and a rear porch.

Summary of Decision: The appeal is dismissed.

Procedural Matters

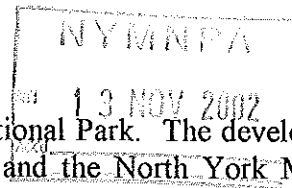
1. The above description of the development proposed differs somewhat from that within the planning application. However, it includes reference to a rear porch added during amendments to the initial proposal. The Park Authority has raised no objections to the porch; I will determine this appeal accordingly.

Main Issues

2. These are the impact of the proposed conservatory on firstly the level of residential amenity enjoyed by the occupiers of a neighbouring property, and secondly on the appearance of the area.

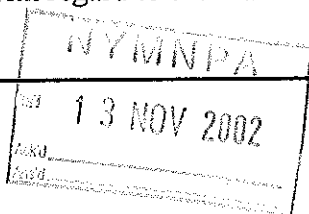
Planning Policy

3. Robin Hoods Bay lies within the North York Moors National Park. The development plan comprises the North Yorkshire County Structure Plan and the North York Moors Local Plan. Within their statement, the Park Authority made reference to the following Policies. Structure Plan Policy E1 seeks to ensure that priority is given to the conservation of the landscape and the general amenity of the North York Moors National Park. This advice is carried over to Local Plan Policy G2.
4. The Park Authority has also drawn attention to Policy H8 within the North York Moors Local Plan Revised Deposit Draft. This Policy seeks to ensure that extensions to dwellings do not detract from the character and appearance of the host building, and also do not reduce the level of private amenity space about the dwelling to an unacceptable level. This emerging Local Plan has been subject to Public Local Inquiry, with the Inspector's Report having been received. No changes are proposed for Policy H8. Therefore, because it is likely to be adopted without alteration, I will afford it considerable weight in line with guidance in Planning Policy Guidance (PPG)1 – General Policy and Principles. The Park Authority has also drawn attention to further advice within PPG1.



Reasons

5. Ravenswood occupies a prominent position on the northern side of Robin Hoods Bay, within a line of properties fronting the Cleveland Way, a major footpath and public right of way along the East Coast. The property is the south-western semi-detached portion of a tall and imposing two and a half storey Victorian dwelling, and features both side and rear extensions.
6. In addition to the aforementioned rear porch, the appellant is seeking to erect a white uPVC framed conservatory in a small section of side garden which abuts the curtilage of the adjacent dwelling, Overdale. Whilst the appeal drawing suggests that such a structure would be 4.6 metres deep x 3 metres wide with a hipped roof, at the site meeting the appellant agreed that the depth would be slightly reduced following the adoption of a small set back within the revised scheme.
7. With regard to the first issue, although the proposed conservatory would be set back some 150mm from the front wall of Ravenswood, because of the juxtaposition of the properties it would extend forward of the front elevation of Overdale by some 500-600mm. Although most of the side elevation of the appeal proposal would feature obscure glazing, the front panel would be clear glass. As such, it could afford limited views over the front garden of Overdale.
8. As stated both of these properties abut the Cleveland Way. Notwithstanding screen hedges and gates, to my mind users of this footpath already have relatively uninterrupted views into and over these front gardens. As such, the overall privacy and private enjoyment of these areas is already diminished. In such circumstances, I am of the opinion that the appeal proposal would not significantly add to this present situation. Consequently, I do not consider that the scheme before me would have an unacceptable impact on the level of residential amenity enjoyed by the occupiers of the neighbouring property. As such, it would not be at odds with the relevant criteria of emerging Local Plan Policy H8.
9. Turning now to the second issue, the front elevation to the overall building which incorporates Ravenswood has a pleasing and balanced appearance, incorporating clearly expressed brick dormer windows, whilst the ground floor features three bay windows and two doorways. Existing extensions do not intrude upon this symmetrical façade.
10. Even allowing for the small setback now proposed, by virtue of its siting and appearance I am of the opinion that the conservatory would result in an uncoordinated and visually unsympathetic extension to the front elevation; such a prominent feature would be particularly evident in views from the south west. As such, it would be harmful to the appearance of the area, and would not accord with the main thrust and/or relevant criteria of Structure Plan Policy E1, Local Plan Policy G2, or emerging Local Plan Policy H8.
11. I have had regard to the conditions suggested by the Park Authority, but in the light of the above judgement I do not consider that they would render the appeal proposal acceptable. I have given careful consideration to all other matters raised, including reference by the appellant to a conservatory to a nearby property, Kenmore. However, such a structure was permitted development whereby planning permission was not required. Whilst I am aware that the appellant is aggrieved regarding the determination of his planning application, this is not a matter that is before me. Therefore, nothing persuades me from my conclusions with regard to the main issues.



Formal Decision

12. In exercise of the powers transferred to me, I dismiss the appeal.



INSPECTOR

Information

A separate note is attached setting out the circumstances in which the validity of this decision may be challenged by making an application to the High Court.

