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## Appeal Decision

Site visit made on 11 February 2015

by **F Rafiq BSc (Hons), MCD, MRTPI**

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

Decision date: 19 February 2015

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**Appeal Ref: APP/Y2736/D/14/2229701**

**25 East Mount, Malton, North Yorkshire, YO17 7JT**

- 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 & Mrs Robert Tooke against the decision of Ryedale District Council.
  - The application Ref 14/00978/HOUSE was refused by notice dated 3 November 2014.
  - The development proposed is the demolition of existing Sun Room and erection of a two storey extension to the front and single storey extension to rear.
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### Decision

1. The appeal is allowed and planning permission is granted for the demolition of existing Sun Room and erection of a two storey extension to the front and single storey extension to rear at 25 East Mount, Malton, North Yorkshire, YO17 7JT in accordance with the terms of the application Ref 14/00978/HOUSE, dated 4 September 2014, subject to the following conditions:
  - 1) The development hereby permitted shall begin not later than three years from the date of this decision.
  - 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 14/T14/OS/01, 14/T14/P/01, 14/T14/P/02 and 14/T14/P/03.
  - 3) No development shall take place until samples and details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to, and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
  - 4) No development shall take place until a one meter square panel of the proposed walling in the development hereby permitted has been prepared, in a location to be agreed with the local planning authority, to demonstrate materials, mortar colour and jointing, and the panel has been approved in writing by the local planning authority. The walls shall be constructed to the same standard as the approved sample panel.

### Main issue

2. I consider the main issue is the effect of the proposed development on the character and appearance of the host dwelling and the area.

### **Reasons**

3. The appeal property is a detached dwelling, which is located close to the junction between East Mount and Princess Road. The property is situated in a mainly residential area that comprises of detached and semi-detached dwellings, which make use of similar building materials. Properties are generally set back behind front gardens that contain hedges and trees, which alongside views between dwellings to rear gardens and other areas of land, give the locality a spacious and open character.
4. Whilst the proposal would be two storeys, unlike the existing single storey sun room, and would result in the loss of symmetry on the host dwelling, it would utilise matching materials and the windows would reflect the positioning and proportions of the existing dwelling. This would give the property a cohesive appearance, ensuring that it would not detract from the character of the existing building.
5. Although symmetry can be found in the design of some nearby properties, on my site visit I was able to see that there is considerable variety in the style of individual buildings. This includes properties with asymmetrical forms such as cat-slide roof forms, which project to the front. Similarly, the proposed external chimney, whilst not being a common feature in the locality, would at roof level reflect the overall size and design of the existing chimney to be retained on this dwelling. I do not therefore consider the proposal would appear out of character in the context of these surroundings.
6. Whilst I acknowledge the Council's desire to protect the character of the area, I consider that the lower height of the extension in comparison to the existing dwelling would result in a subservient addition, even though it would not have a setback from the front of the host dwelling. The space between dwellings varies in the area and despite the proposal being higher than the sun room it would replace, given the staggered positioning of the appeal and neighbouring dwellings and a gap would be maintained between them, I do not find the reduction in space, would in this instance compromise the spacious character of the area. Whilst the side extension would be visible from the street, I do not consider that the host dwelling is particularly prominent in the streetscene as it is set back from the nearest pair of semi-detached dwellings and the front garden contains established vegetation.
7. I therefore conclude that the proposed development would not have an adverse impact on the host dwelling or the area. Accordingly, I find no conflict with Policies SP16 and SP20 of The Ryedale Plan - Local Plan Strategy which look to ensure that extensions to existing buildings are appropriate and sympathetic to the character and appearance of the host building and the immediate locality. There would also be no conflict with the National Planning Policy Framework, which seeks, amongst other matters, high quality design.

### **Other Matter**

8. I note comments relating to the effect of the proposal on the living conditions of a neighbouring occupier, however, given the separation and the orientation of the nearest property relative to the appeal site, I do not consider that the proposal would have an unacceptable impact in this regard.

**Conditions**

9. The Council have suggested a number of conditions. In addition to the standard implementation condition, it is necessary for the development to be carried out in accordance with the approved plans, for the avoidance of doubt and in the interests of proper planning. I will also impose conditions requiring samples of materials to be submitted in the interests of the character and appearance of the host building and area and in the case of external wall materials, a sample panel to be constructed and agreed with the local planning authority. In the interests of conciseness and enforceability, I have amended the wording of some of the Council's suggested conditions without changing their overall aims.

**Conclusion**

10. For the reasons set out above and having taken into account all other matters raised, I conclude the appeal should be allowed.

*F Rafiq*

INSPECTOR