

**North Yorkshire Council**  
**Community Development Services**  
**Scarborough and Whitby Constituency Committee**

**10 AUGUST 2023**

**23/00182/HS - CONSTRUCTION OF ONE DORMER WINDOW TO EACH REAR  
ELEVATION AT 1 - 4 FARM CLOSE GRISTHORPE FILEY ON BEHALF OF MR  
SHAUN WOOD**

**Report of the Assistant Director Planning – Community Development Services**

**1.0 Purpose of the report**

1.1 To determine a planning application for Full Planning Permission for the construction of one dormer window to each rear elevation of the residential properties, known as 1-4 Farm Close, Gristhorpe, which are four two bedroom dwellings in a terraced row.

1.2 It should be noted that the works subject of this planning application are also currently subject to an appeal for non-determination (previous application 22/00153/FLA) however a decision has not been made yet by the Planning Inspectorate.

1.3 The application at appeal includes the following:

- (1) the variation of condition 1 plans and elevations - including dormer windows on the rear elevation
- (2) the variation of condition 2 relating to parking layout
- (3) the removal of condition 10 relating to the boundary wall on site

1.4 The current application is therefore a result of the previous scheme not being determined.

**2.0 EXECUTIVE SUMMARY**

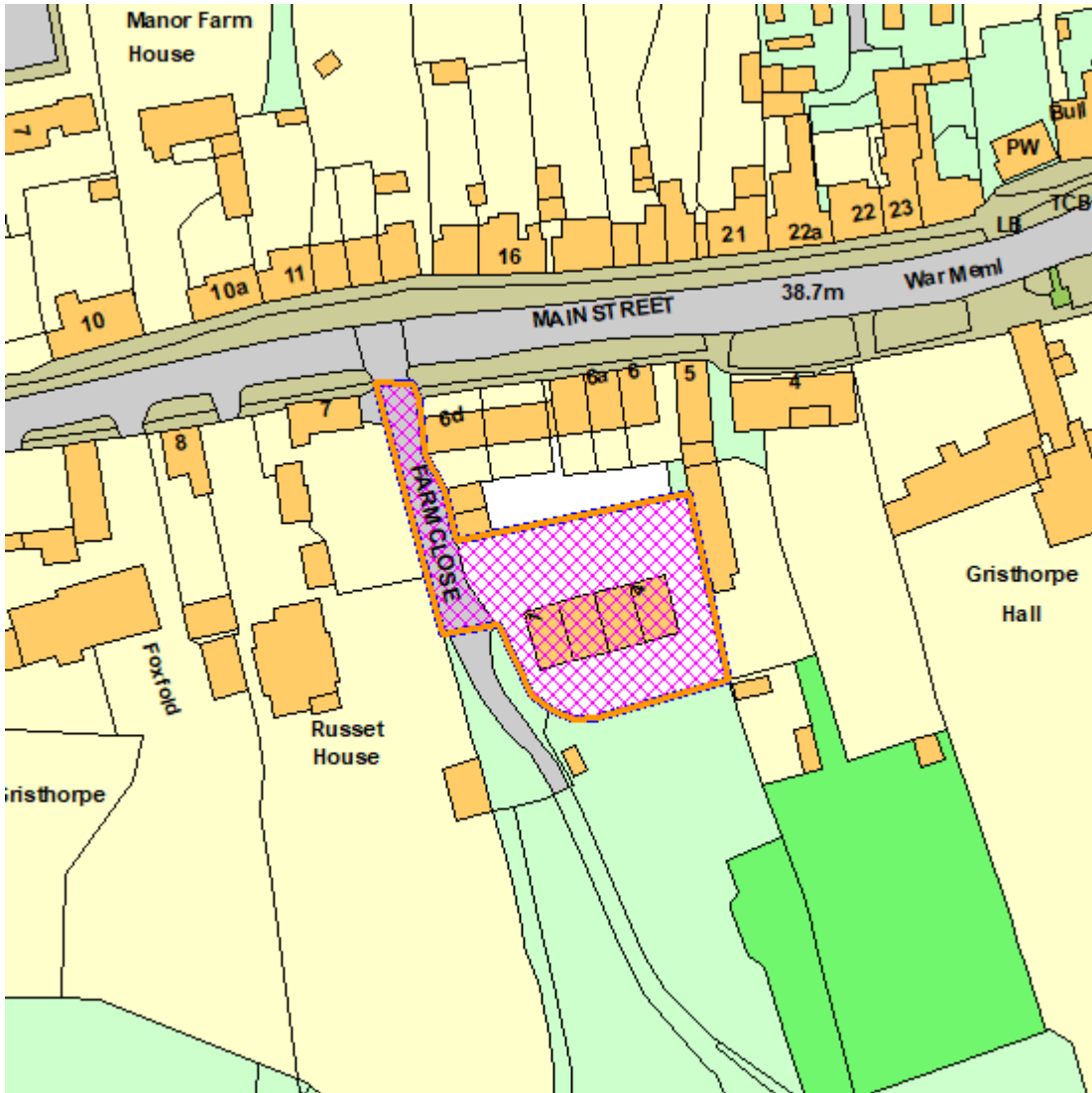
**RECOMMENDATION:** That planning permission be REFUSED:

2.1 The proportions of the proposed dormers themselves do not sit well with the proportions of the host building having horizontal emphasis whereas the existing windows on the dwellings have vertical emphasis. The proposed dormer windows are larger than those on the first floor (windows generally diminish in size on the upper stories of vernacular buildings). The overall scale, width, height and depth dominates the roof plane and are far larger and bulkier than found on a modest traditional vernacular cottage.

2.2 The roofscape of these buildings is a key component of their vernacular aesthetic which makes a strong positive contribution to the character of the Conservation Area in close, middle and long range views from the landscape to the south, viewable from the public footpath network. The addition of the proposed dormer windows to the rear roof slopes of these dwellings will diminish the vernacular aesthetic quality of the terrace such that there will be harm to the visual qualities of the buildings themselves, the character and appearance of the Conservation Area, the setting of the Conservation Area and the appearance of the village in the landscape contrary to policies DEC1 and DEC5 of the Scarborough Borough Local Plan.



Reproduced by permission of Ordnance Survey on behalf of Her Majesty's Stationery Office. © Crown copyright and database right 2023 Ordnance Survey License number 100017946



### 3.0 Preliminary Matters

3.1 Access to the case file on Public Access can be found here

<https://planning.scarborough.gov.uk/online-applications/applicationDetails.do?activeTab=documents&keyVal=RPB2GUNSHWU00>

3.2 The site has an extensive planning history. Those entries considered to be most relevant to the determination of this application are:

3.3 (2018) - Erection of four two bedroom dwellings under planning application 17/01994/FL - permitted

3.4 (2019) Non material amendment (under 19/01825/NMA) relating to 17/01994/FL - relating to re-build of stone wall - withdrawn

This application was to rebuild the existing stone wall with new stone to match the new houses. The reason given for this amendment was the existing stone wall is in a bad repair and has collapsed in places and some of the stone has deteriorated and would not present a reasonable appearance.

3.5 (2020) - Variation of conditions (under 20/00397/FLA) 1 (plans), 2 (parking), 10 (boundary) & 12 (roof windows) on decision 17/01994/FL to provide additional bedroom within the roof space - refused for the following reasons:

(a) The roofscape of these buildings is a key component of their vernacular aesthetic which makes a strong positive contribution to the character of the Conservation Area in close, middle and long range views from the landscape to the south, viewable from the public footpath network. The addition of the proposed rooflights to the rear roof slopes of these buildings will diminish the vernacular aesthetic quality of the terrace such that there will be harm to the visual qualities of the buildings themselves, the character and appearance of the Conservation Area, the setting of the Conservation Area and the appearance of the village in the landscape

(b) The existing stone wall marking the southern boundary of the site is a significant attractive feature original to the former farmstead which makes a positive contribution to the character of this arm of the Conservation Area, particularly on the footpath approach from the south. The applicant proposes to rebuild and re-site this wall on a different alignment, but this would result in the loss of the wall's patination which is its key aesthetic quality and marker of its age and originality; rebuilding it would harmfully and unacceptably diminish its contribution to the character of the Conservation Area. The wall as it stands marked the extent of the original farmstead, so its significance in that respect would also be lost, which would further harm the character of the Conservation Area.

(c) Planning permission 17/01994/FL requires there to be landscaped areas either side of the terrace. Car parking will be confined to the car parking court, and the buildings themselves will be framed by attractive landscaped areas. This will contribute to the development's individual sense of place and distinctive character.

Adding car parking spaces in the place of landscaping either side of the terrace will give the development a cramped and cluttered appearance which will harm the character and appearance of the Conservation Area and diminish the development's individual sense of place and distinctive character

3.6 (2021) Prior to submission of this formal planning application, the applicant sought pre-planning advice under (21/00185/PREAPP)

3.7 It was made clear by the Local Planning Authority ahead of the submission of application 17/01994/FL that the now consented scheme represents the practical maximum potential for the development of this site. Proposals along the lines of those applied for here were discussed and agreed by all parties to be unacceptable as part of the pre-application discussions ahead of the submission of 17/01994/FL.

3.8 (2022) Variation of conditions 1 & 2 and removal of condition 10 on decision 17/01994/FL (under 22/00153/FLA) - application withdrawn

It should be noted that the works subject of this planning application are currently subject to an appeal for non-determination however a decision has not been made yet by the Planning Inspectorate

#### **4.0 Site and Surroundings**

4.1 This application relates to the site of the former Town Farm in Gristhorpe. The farmstead has been demolished and the site comprises four terraced dwellings which are now built and occupied following the granting of planning permission in 2018 (LPA ref. 17/01994/FL). The dwellings lie to the rear of a terrace of six dwellings that were granted consent in 2012 (LPA ref. 12/00631/OL).

4.2 The site is accessed from Main Street via a privately owned road (Farm Close), which is also a public right of way and HGV access to Yorkshire Water infrastructure to the south.

4.3 In terms of nearby uses and built form, the site is flanked by residential development to the east and west, public highway (Main Street) to the north and open countryside to the south.

4.4 In terms of planning designations and constraints, the land in question falls within the Gristhorpe Conservation Area and the Development Limits of the settlement as defined by the Local Plan.

#### **5.0 Description of Proposal**

5.1 This application seeks planning permission for inserting dormer windows in the rear roof to facilitate an additional bedroom. The proposed dormers measure approximately 1.9m high x 2.5m wide and have a pitched roof with matching roof tiles and glazed cheeks to the side of the dormers and are positioned slightly off set to one side on the southern roof slopes of the four dwellings.

## **6.0 Planning Policy and Guidance**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise.

6.2 Section 72(1) of the Planning and (Listed Building and Conservation Areas) Act 1990 requires that special attention is paid to the desirability of preserving or enhancing the character and conservation areas.

### Adopted Development Plan

6.3 The Adopted Plan for this site is:

- Scarborough Borough Local Plan 2011 to 2032 adopted 2017

### Emerging Development Plan - Material Consideration

6.4 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### Guidance - Material Considerations

- National Planning Policy Framework 2021
- National Planning Practice Guidance
- National Design Guide 2021

The Scarborough Borough Supplementary Planning Document Residential Design Guide - SPD is also a material consideration.

## **7.0 Consultation Responses**

7.1 The following consultation responses have been received and have been summarised below.

7.2 Gristhorpe and Leeberton Parish Council: No response at the time of writing this application

7.3 Highways - consulted and awaiting comments

### Local Representations

7.4 Three letters of support on the following grounds:

- strongly support the development of installing dormer windows in the top room of my property to be used as an office space for when I work from home. Having a designated office space is essential for maintaining a healthy work-life balance and boosting productivity.

- The additional natural light and ventilation provided by the dormer windows would create a more comfortable and inviting workspace
- the increased headroom would provide ample space to set up my desk and other necessary equipment
- installing dormer windows would greatly enhance the functionality and usability of my home office, allowing me to work more efficiently and effectively
- support the development of dormer windows in the top room of my current rented property would allow more natural light to flood the space, creating a brighter and more creative office space
- breath taking views our location provides while working from home allowing myself to be in a positive mental state
- It would be a great addition that would fit in with the appearance of a lot of other properties in the village that also feature dormers.
- zero negative impact of the additions.

## **8.0 Environmental Impact Assessment**

8.1 The development proposed does not fall within Schedule 1 or 2 of the Environmental Impact Assessment Regulations 2017 (as amended). No Environmental Statement is therefore required.

## **9.0 Main Issues**

9.1 The main issues are:

- Design and impact on the character of the Conservation Area
- Impact on residential amenity

## **10.0 Assessment**

Design and impact on the character of the Conservation Area:

10.1 In general terms, policy DEC1 of the Local Plan requires a high standard of design; the form, scale, massing and external materials of new development should be respectful of the prevailing character of the area and the proposal should take into account the need to safeguard or enhance important views and vistas.

10.2 Policy DEC5 of the Local Plan requires that the development preserves or enhances the character of the Gristhorpe Conservation Area.

10.3 Importantly, there is a public footpath running through western side of the site, and this extends down to the railway to the south and beyond.

10.4 The application site is prominent in views from the landscape towards the Village and Conservation Area from the footpath to the south; the recently constructed dwellings in question have become a defining characteristic of the Conservation Area on the approach from the south.

10.5 The design of the new dwellings employs balanced, straightforward elevations with locally characteristic roof spans and details including water tabling, simple

doors, artificial stone cills and lintels and imitation chimneys; the form, scale, massing and materials of the dwellings is respectful of the local vernacular.

10.6 It is the view of Officers that the new dwellings make a strong positive contribution to the character of the Conservation Area and are positive feature in the landscape in and of their own right, and this contribution will be enhanced as they are completed in accordance with planning permission 17/01994/FL.

10.7 By reason of the straightforward characteristics of the local vernacular, dwellings designed in the local language such as those being considered here are easily harmed by poorly conceived modifications, which can disrupt the simple balance of buildings and result in an incongruous appearance.

10.8 It is significant that the previous permission under 17/01994/FL had a condition 12 attached which restricted permitted development rights including the addition of dormer windows. This was considered necessary as the site was in a Conservation Area and on a prominent approach to the settlement via a public right of way and development of that type had the potential to cause significant harm to the character of the Conservation Area justifying the removal of PD rights.

10.9 In the view of Officers, the roofscape of these buildings is a key component of their vernacular aesthetic which makes a strong positive contribution to the character of the Conservation Area in close, middle and long range views from the south.

10.10 The addition of the proposed dormer windows to the rear roof slopes of these dwellings will diminish the vernacular aesthetic quality of the terrace to the detriment of the visual qualities of the buildings themselves, the character and appearance of the Conservation Area, the setting of the Conservation Area and the setting of the village in the landscape.

10.11 It should also be noted in 2020 a similar application was submitted to the Council (under 20/00397/FLA) relating to condition 12 to insert a roof light in the roof slope of each property to facilitate a bedroom in the roof space and this was considered unacceptable and refused by the Local Planning Authority under delegated powers.

10.12 It was also advised as part of a pre-planning enquiry in March 2021 (under 21/00185/PREAPP) that it was considered the presence of dormer windows in the Gristhorpe Conservation Area did not set a precedent. It was acknowledged that 'eaves dormers' are fairly typical on single storey dwellings and dormer windows are also present on some higher status buildings, but they are not at all common on the two storey cottage-type dwellings.

10.13 In addition the proportions of the proposed dormers themselves do not sit well with the proportions of the host building as they have a horizontal emphasis whereas the existing windows on the dwellings have vertical emphasis. The proposed dormer windows are larger than those on the first floor (windows generally diminish in size on the upper stories of vernacular buildings), the proposed sit uncomfortably on the roof slope and they have a very long ridge and large cheeks. The overall scale width,



height depth dominates the roof plane and far larger and bulkier than would be found on modest traditional vernacular cottages in this area.

10.14 It is therefore considered that a dormer window in each roof slope is even more harmful than the previously proposed roof light and in the interests of consistency should be refused as the proposal does not preserve or enhance the Conservation Area.

#### Impact on amenity

10.15 Policy DEC4 of the Local Plan precludes development which would have an unacceptable impact on the amenity of neighbouring property.

10.16 In the view of Officers, whilst the dormers will be sited in an elevated position, where they will overlook neighbouring properties, the proposed dormer windows will only offer oblique views such they will not result in an unacceptable loss of privacy.

10.17 The sides of the dormers are proposed to be glazed which will allow some intervisibility between neighbouring dormers, however they are some considerable distance apart (approx. 3.5m). It is unlikely that occupants would be stood for any significant length of time at this location looking out the glazed sides and the glazing will not allow a direct view between the bedrooms so is considered acceptable in terms of amenity.

10.18 Increasing the number of bedrooms in the new dwellings will result in a modest increase in the intensity of use of the site. Officers do not consider that this increase would be so great as to have a significant impact on neighbouring dwellings in terms of noise and disturbance versus the scheme originally approved under reference 17/01994/FL.

10.19 Highways have been consulted on the increase in bedroom spaces and the revised parking layout but had not responded at the time of writing this report.

### **11.0 Planning Balance and Conclusion**

11.1 The roofscape of these buildings is a key component of their vernacular aesthetic which makes a strong positive contribution to the character of the Conservation Area in close, middle and long range views from the landscape to the south, viewable from the public footpath network.

11.2 The addition of the proposed dormer windows to the rear roof slopes of these dwellings will diminish the vernacular aesthetic quality of the terrace such that there will be harm to the visual qualities of the buildings themselves, the character and appearance of the Conservation Area, the setting of the Conservation Area and the appearance of the village in the landscape contrary to policies DEC1, DEC5 and ENV7 of the Scarborough Borough Local Plan.

### **12.0 RECOMMENDATION**

That permission be REFUSED for the reasons below

- 1 Policy DEC1 of the Scarborough Borough Local Plan requires a high standard of design; the form, scale, massing and external materials of new development should be respectful of the prevailing character of the area and the proposal should take into account the need to safeguard or enhance important views and vistas. Policy DEC5 of the Scarborough Borough Local Plan requires that the development preserves or enhances the character of the Gristhorpe Conservation Area.

The proportions of the proposed dormers themselves do not sit well with the proportions of the host building having horizontal emphasis whereas the existing windows on the dwellings have vertical emphasis. The proposed dormer windows are larger than those on the first floor (windows generally diminish in size on the upper stories of vernacular buildings). The overall scale, width, height and depth dominates the roof plane and are far larger and bulkier than found on a modest traditional vernacular cottage.

The roofscape of these buildings is a key component of their vernacular aesthetic which makes a strong positive contribution to the character of the Conservation Area in close, middle and long range views from the landscape to the south, viewable from the public footpath network. The addition of the proposed dormer windows to the rear roof slopes of these dwellings will diminish the vernacular aesthetic quality of the terrace such that there will be harm to the visual qualities of the buildings themselves, the character and appearance of the Conservation Area, the setting of the Conservation Area and the appearance of the village in the landscape contrary to policies DEC1 and DEC5 of the Scarborough Borough Local Plan.

Target Determination Date: 29 March 2023

Case Officer: Claire Walsh  
claire.walsh@northyorks.gov.uk