



Appeal Decision

Site visit made on 1 November 2022

by F Wilkinson BSc (Hons), MRTPI

an Inspector appointed by the Secretary of State

Decision date: 14 November 2022

Appeal Ref: APP/H2733/W/22/3302769

The Carrs YO21 1RR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant outline planning permission.
 - The appeal is made by Mr Mike Hall against the decision of Scarborough Borough Council.
 - The application Ref 22/00360/OL, dated 13 February 2022, was refused by notice dated 14 April 2022.
 - The development proposed is construction of a new dormer bungalow.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. The application was submitted in outline with all matters reserved for future consideration (including access). I have determined the appeal on this basis, treating supporting plans as illustrative.

Main Issues

3. The main issues are the effects of the proposal on:
 - the character and appearance of the area;
 - the living conditions of residents of 15 The Carrs and future occupiers with regard to outdoor amenity space; and
 - highway safety and parking provision.

Reasons

Character and Appearance

4. The appeal site comprises the side garden of 15 The Carrs, a residential bungalow. The garden forms a gap between no. 15 and the adjacent property at no. 17. There is variety in the built form within the vicinity of the site, with a mix of single and two storey detached, semi-detached and terraced dwellings on a range of plot sizes. However, the space around the dwellings, particularly on the north side of the road where the site is located, gives this part of The Carrs a pleasant, spacious feel and contributes positively to the character and appearance of the area.
5. The appellant has submitted an illustrative plan showing how a dwelling could be accommodated on the site. The appellant is not bound by this given that

scale and layout are reserved for future consideration. Nonetheless, the site appears to be of a sufficient physical size to accommodate a dwelling.

6. The illustrative plan shows that a dwelling could be located on a similar building line to no. 15. This position fronting on to the road would maintain the linear form of built development along The Carrs.
7. However, given the size of the site and its configuration, it is likely that a dwelling would be close to the existing dwelling at no. 15 and would fill much of the space between this property and no. 17. This would result in the loss of separation between these properties, and the development would appear cramped on the site in contrast to the spacing between other dwellings in the vicinity. This would erode the current balance of built form and corresponding spacing and would not harmonise with the general grain of development in the locality. Given the positive contribution that the spaces around the dwellings make to the character and appearance of this part of The Carrs, this effect would amount to harm.
8. I acknowledge that not all the properties on The Carrs have large gaps between them. This is more so on its south side, such as with the semi-detached bungalows to the west of the site. However, these dwellings generally have single storey garages on their boundaries with open space above which maintains some visual sense of spaciousness between them. There is a reasonable sized gap between the short terrace opposite the site and the neighbouring properties, which contributes to a sense of openness around it.
9. I therefore conclude that the proposal would materially harm the character and appearance of the area. Consequently, it would conflict with Policy DEC1 of the Scarborough Borough Local Plan, adopted 2017 (the Local Plan), which sets out principles for good design, including reflecting the local environment. It would also conflict with the design objectives of section 12 of the National Planning Policy Framework (the Framework).

Outdoor Amenity Space

10. A reasonable sized outdoor area to the front of no. 15 would remain, although part of this space would likely be taken up by parking provision. The proposal would reduce the side garden area serving no. 15 considerably, meaning only a small area of private outdoor space would remain. Much of the area to the rear is relatively narrow, lying between the extended dwelling and the boundary treatment. The decking area located to the side of the rear extension provides a wider and more open area for residents. Although not large, the remaining outdoor amenity area would be a private space of sufficient size to accommodate typical garden activities such as sitting out and drying clothes.
11. The illustrative plan show that a dwelling could be accommodated on a similar building line to the front and rear as no. 15. Although the rear garden would not be large it would also be of a sufficient size to accommodate typical garden activities.
12. While the size and nature of the amenity space for no. 15 in particular is a further indication of a cramped form of development, the area that would be provided for each dwelling would be usable and relatively private and so this in itself would not be a reason to dismiss the appeal. I therefore conclude that it is possible that a dwelling could be designed and built on the plot without being

significantly harmful to the living conditions of residents of no. 15 and future occupiers with regard to outdoor amenity space. Consequently, at this outline stage, the proposal would accord with Policy DEC4 of the Local Plan, which requires proposals to ensure that existing and future occupants of land and buildings are provided with a good standard of amenity.

Highway Safety and Parking Provision

13. From the submitted information, it appears that the access to the proposed dwelling would be from the existing access point serving 15 The Carrs. The illustrative plan shows a dwelling located with a similar set back from the road as no. 15, with the appellant stating that the area to the front could accommodate two or three cars with a turning area. Based on the submitted information and my site visit observations, I am satisfied that a new dwelling could be built on the site that would enable an appropriate level of parking to be provided.
14. The appellant has submitted an illustrative plan showing how parking at the existing dwelling at 15 The Carrs could be accommodated on the area that would remain associated with that property. This illustrative plan indicates that a new access point from the highway would be required, with the parking area shown as being in front of the dwelling. This arrangement is similar to other properties on The Carrs. The appellant states that the level of parking available at no. 15 would still be sufficient for four to five cars together with a turning area. The illustrative plan seeks to demonstrate this. Such a layout may not be entirely workable in practice. Nevertheless, from what I observed during my site visit, I am satisfied that sufficient parking capacity would remain for occupiers of no. 15.
15. I note that the Highway Authority has not objected to the new access point that is indicated in terms of matters such as traffic generation or visibility, nor has an objection been raised about parking provision, although additional information would be required for a more detailed submission. In the absence of any substantive evidence to the contrary, I have no reason to conclude that the proposal would have an adverse impact in these regards.
16. I therefore conclude that the proposal would not result in unacceptable impacts on highway safety or a lack of parking provision. Consequently, there would be no conflict with Policy DEC1 of the Local Plan which requires the provision of suitable and safe vehicular access and suitable servicing and parking arrangements.

Conclusion

17. In principle, the proposal would be acceptable in respect of the living conditions of residents of 15 The Carrs and future occupiers with regard to outdoor amenity space and in terms of highways safety and parking provision. However, I am unable to conclude that it would not cause material harm to the character and appearance of the area. To this extent, there would be conflict with the development plan when considered as a whole as well as the Framework. Therefore, the appeal should be dismissed.

F Wilkinson

INSPECTOR