



Appeal Decision

Site visit made on 5 December 2023

by F Harrison BA(Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 21 December 2023

Appeal Ref: APP/H2733/W/23/3324816

79 Coach Road, Sleights, Whitby, North Yorkshire YO22 5EH

- 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 P Wright against the decision of North Yorkshire Council.
 - The application Ref 22/01774/FL, dated 31 August 2022, was refused by notice dated 4 April 2023.
 - The development proposed is new single storey dwelling.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. During the appeal, a new version of the National Planning Policy Framework (the Framework) came into effect. Those parts of the Framework most relevant to this appeal have not been significantly amended. As a result, I consider that there is no requirement for me to seek further submissions on the revised Framework, and I am satisfied that no party's interests have been prejudiced by my taking this approach.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal site is an area of grassed land located to the rear of 79 Coach Road. The surrounding area is predominantly residential, comprising generally large detached dwellings of varying design and appearance. Properties are set back from the road by front gardens and are located within generous plots, with clear spaces in-between properties. The similarity in the general scale of the built form and spaces around the properties creates a spacious character. This contributes positively to the character and appearance of the area. An exception to this is to the rear of the appeal site where two properties are accommodated in smaller plots. Nevertheless, the area is characterised as having an open quality.
5. The proposed development has been designed in response to the site's constraints and to ensure the living conditions of future and neighbouring occupiers are protected. However, the proposal would bring development up to the existing stone wall boundary treatment and the proposed dwelling would be almost as wide as the appeal site, thereby resulting in limited space around the

- proposed dwelling. The proposal would appear as a dominant development within the site, eroding the open qualities of the area and would not relate positively to the prevailing character and appearance of the area.
6. The proposal would obscure the existing stone wall in views from the north, however I note that the wall is not subject to any heritage constraints. Nevertheless, the proposal would largely terminate the view from Coach Road and Lowdale Lane, appearing as a prominent and visually discordant addition in the street scene. The Residential Design Supplementary Planning Document (2022) (SPD) advises that the width of development plots and the gaps between buildings should be consistent and reflect established patterns of development in the surrounding area. Despite the properties nearest to the appeal site not having a uniform orientation, the proposal would have a poor degree of integration with the layout of surrounding buildings and spaces and would fail to respond to the local context.
 7. While the existing property at 79 Coach Road has been converted into three apartments, increasing the density of housing, there still remains clear spacings around the property and so the conversion has not eroded the character and appearance of the area in the way that the appeal scheme would. Similarly, the infill development on Lowdale Lane while in a smaller plot has been located relatively centrally within it, has clear spacings around it and so retains the open qualities of the area. There is a cluster of buildings on the opposite side of the junction of Coach Road with Lowdale Lane. However, these buildings are not readily seen in context with the appeal site, such that they do not inform the immediate character of the surrounding area.
 8. I have considered the examples of other bungalows, of which there are several and therefore a feature of the surrounding area. However, the context of these examples differs in overall appearance and relationship with the street scene. They are of generous proportions, generally with accommodation in the roof and set more centrally within their respective plots with clear spacings around the property. The other examples do not, therefore, lead me away from my above findings.
 9. I acknowledge that the appeal scheme would make use of a vacant site that is said to have failed to provide for other uses and that there is policy support for housing development in service villages such as Sleights. Nevertheless, there is also a policy requirement for proposals for new housing development within the defined development limits of settlements to be in accordance with other policies in the Local Plan, and this includes policies relating to design.
 10. Therefore, for the reasons given, the proposal would unacceptably harm the character and appearance of the area, in conflict with Policies DEC1, DEC3 and HC2 of the Scarborough Borough Local Plan (2017). Amongst other things, these policies require development to meet the principles of good design which includes responding positively to local context and making efficient use of land where the density would be in keeping with the character of the local area. Housing development within settlements is also required to be compatible with other policies in the plan.
 11. The proposal would be contrary to the provisions of the Framework in relation to achieving well designed and beautiful places. It would also be contrary to the guidance set out in the SPD in relation to new housing development.

Other Matters

12. Notwithstanding the format of the reason for refusal on the decision notice, I have been able to understand the issues raised by the Council and the relevant policies.

Conclusion

13. My above findings bring the proposal into conflict with the development plan, read as a whole. There are no material considerations that indicate that I should take a decision otherwise than in accordance with it. Therefore, I conclude that the appeal is dismissed.

F Harrison

INSPECTOR