



Appeal Decision

Site visit made on 9 January 2024 by Ifeanyi Chukwujekwu BSc MSc MRTPI
MIEMA CEnv

Decision by Chris Forrett BSc(Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 7 May 2024

Appeal Ref: APP/U2750/D/23/3333613

Toll Bar Cottage, Sandsend Road, Sandsend, Whitby, North Yorkshire YO21 3SR

- 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 B & K Dunne against the decision of North Yorkshire Council.
 - The application Ref ZF23/00637/HS, dated 5 April 2023, was refused by notice dated 8 September 2023.
 - The development proposed is two storey extension and roof terraces to the rear and associated alterations.
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Decision

1. The appeal is dismissed.

Procedural Matters

2. The appeal proposal was described on the application form as a rear two storey extension and alterations. However, I note that the Council, and the appellant on their appeal form, have described the proposal as a 'two storey extension and roof terraces to the rear and associated alterations'. Given the proposal before me, and for consistency, I have utilised the latter description.
3. Since the application was determined, a revised National Planning Policy Framework (the Framework) was published on 19 December 2023. However, as any policies that are material to this decision have not fundamentally changed, I am satisfied that this has not prejudiced any party. I have had regard to the latest version of the Framework in reaching my decision.
4. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

Main Issue

5. The effect of the proposal upon the character and appearance of the host dwelling and surrounding area.

Reasons for the Recommendation

6. The appeal property is a former Toll Bar located at the junction between Cliff Lane and the A174 (Sandsend Road) on the outskirts of Whitby. It is a detached two-storey building constructed with stone material and slate tile roofing. It has a traditional cottage design with arched windows at first floor level and comprises of four elevations with gable-ended pitched roofs which adjoin a central chimney. There are single-storey flat roof extensions on the east side of the original dwelling and at the rear with a courtyard area in-between. Nevertheless, the property still retains its traditional cottage design.
7. The surrounding area is a coastal landscape with undulating open green fields. It is not built up, and developments are separated from each other over long distances of undeveloped land. These properties are also traditional cottages or farmhouses. The appeal property's location at the junction makes it a prominent and key feature in this rural coastal landscape.
8. The proposal would introduce a single storey and two storey extension which would infill the courtyard area at the rear between the existing extensions. Whilst the ground floor element would not have any significant visual impact owing to the existing extensions, the same cannot be said of the first-floor element. Given the exposed location of the site, the first-floor element would be seen over long distances in several directions including along Cliff Lane. To my mind, the first-floor element would introduce a dominant and bulky addition which would be harmful to the overall character and appearance of the host property and the wider area.
9. In coming to that view, I acknowledge that the proposal would sit within the rear south facing gable, would retain the original lines of masonry, and would be stepped down from the roof of the original gable. It would also have a partly hipped roof form. Whilst these design elements are no doubt included to reduce the massing and impact of the proposal these do not overcome the harm I have identified in relation to the overall bulk and massing of the proposal.
10. In addition to the above, the first-floor extension includes large amounts of full height glazing which is significantly out of character with the host dwelling. This, combined with the first-floor terrace areas and balustrades, would detract from the character of the host dwelling.
11. Finally, I note that the proposal would result in the loss of an arched window on the south elevation. Whilst the loss of this is regrettable, in my view, this is not a reason to withhold planning permission.
12. Taking all of the above into account, I find that the proposal, as a result of the combination of its bulk and excessive glazing, would have a significant detrimental effect upon the character and appearance of the host dwelling and the surrounding area. Consequently, it would conflict with the objectives of policies DEC1 and ENV7 of the Scarborough Borough Local Plan (July 2017). These, amongst other matters, seek to ensure that new development responds positively to the local context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing and should protect and where possible enhance the distinctiveness or special features that contribute to the landscape character of a particular area.

Conclusion and Recommendation

13. For the reasons given above, and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

Ifeanyi Chukwujekwu

APPEALS PLANNING OFFICER

Inspector's Decision

14. I have considered all the submitted evidence, and my representative's report, and on that basis the appeal is dismissed.

Chris Forrett

INSPECTOR