
Appeal Decision

Site visit made on 22 December 2025

by **M Willis BSc MA MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 19 January 2026

Appeal Ref: APP/W9500/W/25/3373271

Victoria Hotel, Station Road, Robin Hoods Bay, Whitby YO22 4RL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
 - The appeal is made by Hotel Victoria (TSP Investments) Ltd against the decision of North York Moors National Park Authority.
 - The application Ref is NYM/2024/0770.
 - The development proposed is demolition of rear stables building used as "back of house" accommodation, construction of first floor extension over existing bar and two storey extension to provide WC facilities and bedroom at ground floor and four further bedrooms at first floor together with creation of first floor sun terrace and erection of glazed rear entrance canopy.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have adopted the description of the development from the decision notice and the appeal form in my decision in the interests of clarity.
3. The appellant submitted additional information with the appeal which includes an "*Assessment of Significance*" prepared by Austin Heritage Consultants and a "*Transport Note - Transport Note for a Planning Application for the Hotel Victoria Extension, Robin Hood's Bay – Ref: NYM/2024/0770*" prepared by SLR Consulting Limited.
4. The additional information seeks to address two of the reasons for refusal. The North York Moors National Park Authority (the Authority) has commented on the additional and revised information in its response to this appeal. Interested parties have also had chance to provide comments on it. I am therefore satisfied accepting this material does not result in procedural unfairness. To confirm, my decision is therefore based on the evidence submitted when this appeal was made.

Main Issues

5. The main issues are:
 - the effect of the development on the character and appearance of the host building and the surrounding area, including in respect of the effect on the significance of the building which is a non-designated heritage asset (NDHA);
 - the effect of the development on the living conditions of neighbouring residents with particular regard to outlook, overlooking and privacy and noise and disturbance; and

- effects on the highway network as a result of additional vehicular traffic.

Reasons

Character and appearance

6. Victoria Hotel is an attractive building that lies in a prominent position at the gateway to the old village of Robin Hoods Bay within the North York Moors National Park. The main building comprises of three-storeys and is constructed of red brick and ashlar stone and has a red clay tile roof. Along its frontage (west elevation) it has distinctive triple gables, symmetrical double height stone bay windows with gables clad in clay tile above and a central gable constructed of stone. There is also a single-storey red brick extension that houses the hotel public house/bar and, along the southern elevation a large, single-storey glazed orangery with external seating/patio area. Along the northern elevation is a traditional single-storey brick outbuilding (referred to as the 'rear stables building'). A more recent, two-storey red brick infill extension lies between the rear stables building and the main building which houses a garage with hotel rooms above.
7. To the north of the hotel, on the same side of Station Road, is a row of three-storey properties constructed of similar materials to that of the hotel with some having similar front facing gables, bay windows at both ground and first floor levels and front facing dormers in the roof spaces. These design details are characteristic features of the properties along this side of Station Road and together with the hotel create an imposing and attractive street frontage.
8. The hotel is not a Listed Building nor located within a Conservation Area. However, both parties agree it is a NDHA because of its contribution to the architectural and historic composition and character of this part of Robin Hood's Bay which developed in response to the arrival of the railway. Based on the evidence and my observations on site, I have no reason to disagree with this assessment and agree the hotel is a NDHA as it both architecturally and historically makes a good contribution to the cultural heritage and understanding of the development of this part of Robin Hoods Bay. The main issue to be considered is therefore the effect of the development on the character and appearance of the host building and the surrounding area and on the significance of the building which is a NDHA.
9. The proposed development comprises a first-floor extension to the western elevation of the hotel and the demolition of the rear stables building and construction of a replacement two-storey building along the northern elevation.
10. The existing single-storey extension along the frontage does appear at odds and slightly incongruous in scale when compared with the main hotel building and the neighbouring properties to the north. However, I am not persuaded that the proposed first-floor extension, in particular the ridge and gable roof design, would complement that of the host building or the properties on this side of Station Road. In my judgement, the proposed larger scale building would only exacerbate and highlight the notable differences between this newer part of the building and the more traditional parts. Furthermore, although the use of the same materials and fenestration as the existing ground floor frontage is intended to create a seamless continuation of the existing façade, its general appearance would be more reflective of that of a residential property. Consequently, the proposed first-floor extension would not conserve or enhance the principal elevation of the hotel and

therefore the cultural heritage of the National Park nor complement the distinctive character and appearance of the arts and crafts style of the host building which makes a significant contribution to the character of this part of Robin Hoods Bay and Station Road.

11. In relation to the proposed rearward two-storey building, although the appellant says it would only be half a storey higher than the rear stables building that it would replace, the added height would result in a much larger vertical mass along the northern boundary and this elevation of the hotel. This, together with the proposed inclusion and the arrangement of the windows and openings along this elevation, would be inconsistent and out of character with that of the more traditional outbuilding that it would replace.
12. I accept the previous alterations and additions to the hotel have resulted in the eastern (rear) elevation being less uniform and attractive in its overall appearance and as such it does not have the same constraints as the frontage. When viewed from the east, the ridge and eaves height of the building would be similar to that of the adjacent modern extension and so would appear to complement and reflect that of the earlier extension in terms of its general scale and height. Nevertheless, the proposed use of full height glazed windows and doors (including within the gable), would starkly contrast with the style, proportions and width of those of the more historic parts of the hotel building. As a result, the appearance of the proposed building, along with the large first-floor glazed sun terrace, would appear as overly modern and incongruous additions that would not complement or conserve and enhance the cultural heritage of the National Park nor the character and appearance of the building as a whole.
13. Paragraph 216 of the National Planning Policy Framework (the Framework) states that the effect of an application on the significance of a NDHA should be taken into account in determining the application, and a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. The Authority consider the loss of the rear stables building to amount to 'less than substantial harm'. However, for the purposes of the Framework this category only applies when identifying potential harm to designated heritage assets and not NDHAs¹. Therefore, the Authority has applied the wrong test in this case.
14. Notwithstanding the above, as I observed during my visit, much of the original internal fabric and floorplan of the rear stables building appears to have been lost due to its former and current use. Whilst these internal changes have eroded its overall value and integrity, externally it is still an attractive and traditional outbuilding that contributes to the architectural value and understanding of the historic development of the hotel and the wider area. Consequently, it does retain some limited local heritage interest. In my judgement, the scale of harm to the NDHA as a result of the proposal as a whole would be significant. This is due to the combined effect of the total and permanent loss of some of the remaining original historic building fabric through the proposed demolition of the rear stables building and the harmful effects of the proposed extensions on the character and appearance of the building and wider area.

¹ Paragraph: 018 Reference ID: 18a-018-20190723

15. Given the appeal property's location within the National Park, I have a duty under the National Parks and Access to the Countryside Act 1949 (as amended by the Levelling Up and Regeneration Act 2023) to seek to further the purposes of the National Park by (a) conserving and enhancing natural beauty, wildlife and cultural heritage, and (b) promoting opportunities for the understanding and enjoyment of their special qualities by the public.
16. Paragraph 189 of the Framework places great weight on the conservation and enhancement of wildlife and cultural heritage in National Parks requiring the scale and extent of development within such areas to be limited. Strategic Policy A of the North York Moors National Park Authority Local Plan July 2020 (NYMLP) states permission will be granted for development which is consistent with the statutory purposes and that where there is an irreconcilable conflict greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.
17. As the proposal would deliver additional tourist accommodation that would support and promote opportunities for the public to understand and enjoy the National Park's special qualities, it would not conflict with the second statutory purpose or criteria No.2 of Strategic Policy A of the NYMLP.
18. However, based on the evidence before me, I find that the proposed development would have an unacceptable adverse effect on the character and appearance of the host building and the surrounding area, including on the significance of the building which is a NDHA. The proposal would therefore be contrary to Strategic Policies A, C and J of the NYMLP which together require development to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park; to be of high quality design and of compatible scale, height and form that respects and reinforces the character of the built and historic environment and which reflects and complement the architectural character and form of the original building and/or that of the local vernacular.
19. The proposal would also conflict with paragraphs 131, 135 and 189 of the Framework insofar as it does not represent good design or a quality addition to the existing property that would be sympathetic to local character and history or conserve and enhance cultural heritage.
20. Given the above, the proposal would also fail to conserve or enhance the cultural heritage of the National Park and so not meet the first statutory purpose of the National Park and this harm carries great weight in the planning balance.

Living conditions

21. A narrow passageway runs alongside the northern elevation of the rear stables building and the neighbouring property, Lynnfield House, which gives pedestrian access to the hotel car park located to the rear. Beyond the car park lies the private garden spaces associated with the nearby properties on Victoria Terrace.
22. Some of the rear ground floor windows of Lynnfield House face outwards towards the hotel building and the narrow passageway separating the two properties limits the sense of space and separation between them. Based on what I observed on site, the added height and massing of the proposed two-storey extension along this boundary would further compress the sense of separation and have an imposing and dominating harmful effect on outlook from the ground floor windows

and occupiers of Lynnfield House. This element of the proposal would therefore be contrary to Strategic Policy C of the NYMLP. However, as this harm is limited to only one particular outlook, I attach this harm a little weight in the planning balance.

23. In respect of the effects on the occupiers of Victoria Terrace, as was evident during my visit, views eastwards towards these properties and their garden spaces are currently available from the first and second floor windows of the hotel. Whilst the Authority considers the proposal would increase the perception of neighbouring occupiers being overlooked, there is already a degree of mutual overlooking both from the hotel and between the individual properties that form part of Victoria Terrace. Based on what I observed on site, and having regard to the oblique angle of view, I am not persuaded that the proposal would have any greater material effect on the occupiers of Victoria Terrace in respect to overlooking or privacy impacts than that which is already experienced.
24. Similarly, whilst I accept there could be some increased noise as a result of hotel guests using the proposed balcony and sun terrace, there is nothing before me that demonstrates any such noise would be dissimilar or any more harmful than that which could reasonably be expected and generated by the residents and occupiers of Victoria Terrace themselves. Therefore, in the absence of evidence to prove otherwise, I am not persuaded that the proposal would have an adverse effect on the living conditions of neighbouring residents of Victoria Terrace as a result of noise and disturbance.
25. In respect to light pollution, Policy ENV4 of the NYMLP says all development will be expected to minimise light spillage through good design and light management and seeks to restrict external lighting unless it can be demonstrated it is essential for safety, security or community reasons.
26. The Authority raised concerns that light spill and light pollution from the proposed development would be harmful to neighbouring residents and the dark skies character of the area. I acknowledge some of the areas of glazing are greater in size than those currently present within the main hotel building and therefore have the potential increase levels of light spill. However, in order to protect the privacy of the occupants of the proposed bedrooms, I consider it reasonable to expect curtains and/or blinds to be provided which, when drawn, would also have the effect of reducing the amount of artificial light emitted. There is nothing before me which substantiates or supports the Authority's position that light spill arising from internal lighting associated with this proposal would be experienced outside the immediate area. As such I am not persuaded the proposal would lead to unacceptable harm to the immediate neighbourhood or reduce opportunities for all people to increase their awareness and enjoyment of the special qualities of the National Park. Therefore, I find that the proposal would not conflict with Strategic Policy J and ENV4 of the NYMLP as a result of light pollution.
27. Notwithstanding the above, I have found that the proposal would have an unacceptable adverse effect on the outlook, and therefore living conditions, of the occupants of Lynnfield House. Therefore the proposal would be contrary to Strategic Policy C of the NYMLP which, amongst other matters, requires proposals to be compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers.

Highway matters

28. Policy CO2 of the NYMLP says new development will only be permitted where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety. The hotel currently has 20 parking spaces available on site which the appellant says are prioritised for use by overnight guests. The proposed development would result in the creation of 4 new bedrooms, however, I note that the Design and Access Statement says that as a result of internal alterations required to facilitate access to the proposed extension, one existing bedroom would be lost. Consequently, had this appeal been allowed then this would increase the number of rooms available by three and not four rooms.
29. I appreciate the hotel has a limited number of parking spaces available however, as I observed during my visit, there are a number of public car parks in the local area as well as access to public transport. It was evident during my visit that some of the public car parks, in particular that opposite the hotel, are well used. I am aware that my site visit was a single snapshot in time and that parking levels may fluctuate. Nevertheless, I have no strong reason to doubt that during peak periods the existing car parks are likely to frequently be at capacity.
30. Notwithstanding the above, whilst I accept the additional bedrooms created by this proposal would likely attract more cars and visitors to the area, the number of additional vehicles over and above those already experienced would be relatively small. Although there could be occasions when parking on site at the hotel would be difficult, there are a number of public car parks in the local area and should these be at capacity, as I noted during my visit, there are clear restrictions and markings in place on the public highway which restrict on street parking. Given this I am not persuaded that the small number of additional visitor vehicles that could arise as a result of this proposal would contribute to parking pressures or problems to such a degree that they could affect the free-flow of traffic or be prejudicial to highway safety.
31. For the above reasons, based on the evidence before me, I do not consider the proposed development to have an unacceptable impact on the highway network as a result of additional vehicular traffic. The proposal would therefore not be contrary to Policy CO2 of the NYMLP or paragraph 116 of the Framework.

Other Matters

32. I acknowledge that there would be social and economic benefits arising from the proposal including significant investment into the hotel and enhancement of deteriorating building fabric which the appellant says would help to sustain the future viability and use of the hotel. The proposal would also create additional hotel accommodation that would support tourism activities and wider benefits to the local economy in terms of visitor expenditure. However, given the scale of the proposal, I afford these social and economic benefits moderate weight.

Planning Balance

33. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals should be determined in accordance with the development plan unless material considerations indicate otherwise.

34. I have found that the proposal would result in the loss of part of a NDHA and harm to the character and appearance of the existing building and the wider locality. I attach great weight to this harm. I have also found that the proposal would have an unacceptable adverse effect on the outlook, and therefore living conditions, of the occupants of the neighbouring property, Lynnfield House. I attach this harm a little weight in the planning balance.
35. I have found the benefits of this proposal to carry moderate weight. These benefits do not amount to a material consideration of sufficient weight to indicate that a decision contrary to the development plan should be made, or which outweighs the material harm to the NHDA.
36. Given the findings above, the proposal would conflict with the development plan and there are no material considerations of sufficient weight which indicate that a decision should be made other than in accordance with it.

Conclusion

37. For the reasons given above the appeal is dismissed.

M Willis

INSPECTOR