



Appeal Decision

Site visit made on 13 August 2008

by **Michael Hurley** BA DipTP MRTPI

an Inspector appointed by the Secretary of State
for Communities and Local Government

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Decision date:
20 August 2008

Appeal Ref: APP/W9500/A/08/2070730

Land adjacent to the Wilson Arms, Beacon Way, Sneaton, Whitby, YO22 5HS

- 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 and Mrs D Glossop against the decision of the North York Moors National Park Authority.
- The application (Ref: NYM/2007/0856/FL) dated 12 October 2007, was refused by notice dated 11 February 2008.
- The development proposed is the erection of two dwellings.

Decision: I hereby dismiss the appeal, for the reasons given below.

Main issues

1. I consider the main issues in this case to be first, whether the scale and design of the proposed dwellings would be out of keeping in this settlement; second, whether the proposed development would detract from the amenity of neighbouring residents; and third, whether it would have a significant adverse impact on an important view.

Background

2. Sneaton is a village about 2 miles to the south of Whitby. The appeal site forms part of the car park to the Wilson Arms public house. ~~This Grade II listed building dates from the nineteenth century. It has walls of whitewashed render, and a roof of red clay pantiles. It stands at the back edge of the footway, on the north side of the village street. On the eastern side of the original 2-storey building, there is an unprepossessing, flat-roofed, single-storey, restaurant extension; then the car park, which has a road frontage of just over 20m. To the east of the car park, there is a detached bungalow, of brown brick and concrete tile construction, called "Holmlea". This dwelling is set back by about 13m from the highway.~~
3. The proposal is to build a pair of 3-bedroom, semi-detached houses, close to the eastern edge of the car park. The proposed building would be about 12m wide by 9m deep, and the ridge of its pitched roof would be about 7.5m above the ground. It would be set back by about 8m from the back of the footway, behind a front garden area. Its walls would be of dressed sandstone, and its roof would be of red clay pantiles. The building would have gable ends on its eastern and western flanks. First-floor accommodation would be provided in the roof space, and would be lit by dormer windows facing north and south.
4. A pub car park, with capacity for 28 vehicles, would be retained to the rear of the proposed development. Access to this would be through a 7.5m wide gap,

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between the proposed building and the Wilson Arms. Each of the proposed dwellings would have two parking spaces at the rear, access to which would be through the pub car park.

Scale and design

5. Policy H1 of the North York Moors Local Plan indicates that new residential development will be permitted on infill plots in Sneaton, provided that it is of a scale, design and density appropriate to the existing form and character of the settlement, and certain other specified criteria are met. The appeal site has the characteristics of an infill plot.
6. Although the proposed building would differ from its neighbours on either side in terms of its design, I do not share the Planning Authority's view that it would be discordant. Its roof ridge would be just over a metre higher than that of "Holmlea", and perhaps 1.5m lower than that of the Wilson Arms. Its distance from the highway would also be intermediate between that of these two buildings. While the proposed construction materials would not match those used in the buildings immediately adjacent, they would not be uncharacteristic of this village. My conclusion on the first issue is that the scale and design of the proposed houses would not be out of keeping in this settlement.

Residential Amenity

7. A picture window and a glazed door in the western flank elevation of "Holmlea", would face the proposed development. The window would be about 3m from the blank gable wall of the proposed building, which would be topped by a chimney. I consider that the proposed development would overshadow "Holmlea", and would have an overbearing effect on the outlook enjoyed by the neighbouring residents.
8. I recognise that the accommodation lit by the window in question has an alternative source of natural lighting. Nevertheless, I consider that the occupants of "Holmlea" would suffer a significant loss of amenity, and that the proposed development would be unneighbourly.
9. Policy GP3 of the Local Plan indicates that development should not have an unacceptable impact on public amenity, the operation of adjacent land uses, or any interest of acknowledged importance. My conclusion on the second issue is that the proposed development would detract from the amenity of the neighbouring residents, and would be contrary to Policy GP3.

View

10. The proposed houses would obstruct a fine panoramic view from the village street towards Whitby Abbey and the sea. I accept that it would still be possible to see Whitby Abbey through the gap between the Wilson Arms and the proposed building, and from other vantage points in the vicinity. Nevertheless, I consider the protection of existing views within this National Park to be important.
11. I note that in a 2000 appeal decision concerning a proposed development elsewhere in Sneaton, the Inspector concluded that "the views northward through gaps within the frontage development to the village street are also important in maintaining the character of the locality". I share that opinion.

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12. Policy BE12 of the Local Plan indicates that the development of open sites within settlements will not be permitted where there would be an unacceptable impact on the visual value of the site. My conclusion on the third issue is that the proposed development would have a significant adverse effect on the view towards Whitby Abbey, and would be contrary to Policy BE12 of the Local Plan.

Other Matters

13. I have considered all the other matters raised, including the Chief Planning Officer's report, which recommended that permission should be granted for the proposed development. However, I do not find any of these factors to be sufficient to outweigh the considerations that have led me to conclude that the appeal should be dismissed.

Michael Hurley

Inspector

