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## Appeal Decision

Site visit made on 29 January 2018

**by S Jones MA DipLP**

**an Inspector appointed by the Secretary of State**

**Decision date: 12 March 2018**

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**Appeal Ref: APP/Y2736/W/17/3189453**

**The Old Manse, 19 Middleton Road, Pickering, North Yorkshire YO18 8AL**

- 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 T Gillman for Austin Brooks Property Consultants against the decision of Ryedale District Council.
  - The application Ref 17/00119/FUL, dated 30 January 2017, was refused by notice dated 17 May 2017.
  - The development proposed is Erection of a three bedroom dwelling with parking and amenity areas.
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This decision is issued in accordance with Section 56(2) of the Planning and Compulsory Purchase Act 2004 (as amended) and supersedes the decision issued on 23 February 2018.

### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues are whether the site would be suitable for housing, and the effect of the proposed development on the character and appearance of the surrounding area, including on the significance of the Pickering Conservation Area as a heritage asset.

### Reasons

#### *Housing Location*

3. The appeal site is a large Edwardian style detached property fronting onto Middleton Road. The topography rises up along Potter Hill away from the town centre of Pickering, and runs along the top of the rise, overlooking properties below. There is a continuous frontage of properties along Potter Hill and Middleton Road, and the area is fairly densely developed.
4. The Old Manse has been developed as a guesthouse and restaurant business, with a rear conservatory and sitting out terrace alongside a relatively wide access leading past the property to an area of car parking behind the hotel and in front of the proposed dwelling. As shown on Plan PL04 Rev C, the proposal is to build a dwelling in the rear garden plot.
5. Ryedale District Council have set out their housing strategy in their development plan. Pickering is a Local Service Village and in Policy SP2 of the

Ryedale District Council Ryedale Plan-Local Plan Strategy (LP) new housing development is directed primarily to housing land allocations or other specified locations. It is not disputed that the proposal would not fall into the other categories in Policy SP2, but the appellant considers it is infill development because it would be on the existing garden to the Old Manse.

6. However, infill development is defined in Policy SP2 of the LP as 'small open sites in an otherwise continually built up frontage'. This development would not be on an open plot between existing dwellings along the continually built up frontage of Middleton Road. It would not have any frontage onto Middleton Road. Consequently I consider it would not meet the criteria in Policy SP2 with regard to infill development and would be harmful to the aims of the policy to direct housing development primarily to the most appropriate locations within the area.
7. Having said that, I appreciate that the development would provide housing, however the Council does not have a housing shortage at present and in any event one dwelling would make only a limited contribution to housing provision overall. The appellant states that there is previous backland development close by. Properties along the east side boundary are more closely spaced and reflect some limited previous backland development. The proposal would be lower in height than the Old Manse and would sit behind it. In that respect the proposed dwelling and its plot size would be more akin to those dwellings. However, the previous developments are of some longstanding and do not reflect the priorities in the current development plan.
8. Consequently I conclude that the development would conflict with the aims of Policy SP2 of the LP and that there are no other matters that would overcome that harm with respect to the suitability of the site for housing.

#### *Character and Appearance*

9. The appeal site was formerly the manse for the Wesleyan Chapel built as part of the Methodist movement. It has a large plot proportionate to the size of the Old Manse which runs a similar length to the neighbouring terraces, and the long plots give an open and spacious character to this part of the top of the hillside, which is relatively flat across the rear. A detached property 'Brown Eaves' backs onto the eastern side boundary with No 19 roughly level to the proposed site of the new dwelling.
10. Although the proposal lies outside the CA, I must consider whether it would affect the significance of the CA in accordance with the National Planning Policy Framework (the Framework). Although there is no conservation area appraisal for Pickering, the CA is largely constructed in local stone or traditional materials. It reflects the historic development of Pickering and its castle from its origins to the arrival of the railway and afterwards. The CA runs along the south boundary of the proposed development. There are Listed buildings inside the CA. However, there is no evidence of an adverse effect on their setting, which is not in contention in this appeal.
11. As shown on Plan PL02 the dwelling would be one and a half storeys high with a pitched roof and rooflights, and an external chimney piece. It would lie behind the Old Manse. At present the Old Manse has a large footprint in a large plot, in generally green and spacious surroundings. The existing vegetation is shown on the Topographical Survey Drawing No Y395-S-1.

12. Although there would be space within the depth of the garden to accommodate the dwelling proposed, it would occupy almost the full width of the plot and lie in close proximity to No 23 and Brown Eaves. The upper section of the development would be visible from the two storey properties and the rear gardens on Middleton Road above the boundary. The division of the plot to create a further dwelling would be harmful as the area surrounding the Old Manse would be significantly reduced by the proposed development, and the car parking and hard surfacing associated with the new dwelling would further encroach upon the open land to the rear. The location and scale of the proposal would therefore be harmful to the character and appearance of the area. It would result in a significant adverse impact on the spacious plots and open green character that characterise the area, particularly along this section of Middleton Road.
13. There is a steep but short drop at the rear boundary to the south. I agree that there would be limited views of the proposed development from the CA over the short distance uphill at the foot of the south boundary. However, due to the elevated position the development would be visible in wider views towards and from the CA and from the upper floors of the dwellings on the A170. I find that the prominence of the appeal site and the erosion of the green and spacious character of surrounding development in close proximity to the CA buildings would not have a positive effect on the significance of the CA as a whole.
14. I understand that the development would have financial benefits for the owner of the Old Manse, and would contribute to funding retirement. The development could contribute to local employment if a local builder was employed for the construction of the dwelling. As above, the Council have an adequate supply of housing and in any event, the addition of one further dwelling would not contribute significantly to housing need. Consequently, I do not consider that these matters outweigh the harm identified to the character and appearance of the area and to the significance of the CA.
15. Although the appellant suggests screening of the development by the vegetation and trees could be retained by the imposition of a suitable condition, I consider this would not be adequate to address the harm that I have identified above. It would also not address the location of the development in terms of its suitability for housing. I conclude that the development would conflict with Policies SP12, SP16 and SP20 of the LP, since these aim to secure high quality design that reflects the characteristics of its location, including the significance of heritage assets.

## **Conclusion**

16. For the reasons given above I conclude that the appeal should be dismissed.

*S Jones*

INSPECTOR