



# The Planning Inspectorate

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[www.gov.uk/planning-inspectorate](http://www.gov.uk/planning-inspectorate)

Mrs Wendy Strangeway  
North York Moors National Park Authority  
Development Control Support Officer  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP

Your Ref: NYM/2020/0346/FL  
Our Ref: APP/W9500/D/20/3263621

23 February 2021

Dear Mrs Strangeway,

Town and Country Planning Act 1990  
Appeal by Mr and Mrs A Fiddler  
Site Address: Peony Bank Farm, Egton Road, Aislaby, WHITBY, YO21 1SX

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

[https://www.surveymonkey.co.uk/r/Planning\\_inspectorate\\_customer\\_survey](https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey)

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

***Nicholas Patch***

Nicholas Patch

*Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>*



## Appeal Decision

Site visit made on 16 February 2021

**by Alison Scott BA(Hons) DipTP MRTPI**

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

**Decision date: 23 February 2021**

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**Appeal Ref: APP/W9500/D/20/3263621**

**Peony Bank Farm, Egton Road, Aislaby, Whitby YO21 1SX**

- 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 Fiddler against the decision of North York Moors National Park Authority.
  - The application Ref NYM/2020/0346/FL, dated 22 May 2020, was refused by notice dated 28 August 2020.
  - The development proposed is Oak garage and office to replace existing garages.
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### Decision

1. The appeal is dismissed.

### Procedural Matters

2. The description of the development has been amended by the Authority and described as 'construction of two storey oak garage and home office following demolition of existing garages'. I concur this accurately describes the proposal before me.

### Main Issue

3. The main issue is the effect of the proposed building on the character and appearance of the North York Moors National Park.

### Reasons

4. Peony Bank Farm is located in an elevated location off Egton Road in Aislaby within the North York Moors National Park. As a special area designation, National Parks have the highest status of protection in relation to landscape and scenic beauty, and great weight is to be afforded to conserving and enhancing their landscape and scenic beauty.
5. The main dwelling is of stone and pantile roof construction and is split level as it is built into the sloping land on site. The existing detached garages have a large footprint, however, they are of limited height and although they do not reflect the traditional vernacular of the host dwelling, they have a utilitarian appearance to them, and a subservience to the host dwelling.
6. The use of the proposed building is for both the garaging of vehicles and as a home office to the upper floor area. Whilst the proposal would more closely reflect the vernacular of the main dwelling with regards to materials and

design, at approximately 5.9m in height, it would be considerably higher than the existing buildings it would be intended to replace.

7. The internal height has been explained as partially due to the appellant's own height requirements. The proposed height would more closely relate to that of the host dwelling at approximately 8.5m in height. Its proposed scale would be further emphasised due to the continuous ridge height and the fact that the building would sit on a raised level to the main dwelling. Overall, its proportions and close relationship to the host dwelling would not reflect the character of an ancillary outbuilding.
8. Given the combination of these factors together with the proposed characteristics of the fenestration more akin to the main dwelling than to a separate ancillary outbuilding, it would not appear subservient to the host dwelling. Irrespective of the surrounding landscaping as screening properties, or the design cues taken from the main dwelling, the proposal would compete and detract from its character and form and its setting, and consequentially harm the distinctive character of the National Park.
9. The building also conflicts with the National Planning Policy Framework, which requires the protection of valued landscapes, and states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks.
10. Therefore, to conclude, the proposal would be contrary to the North York Moors National Park Authority Local Plan 2020, Strategic Policy C and Policy CO17, and the advice contained within the Design Guide in so far as their combined aims is to maintain and enhance the character of the National Park.

### **Other Matters**

11. Despite the lack of objections to the proposal, this is a neutral matter that neither weighs in favour for, nor against the proposal.
12. A home office would bring personal benefits to the appellants, and I understand the implications of the Coronavirus pandemic and the restrictions this has incurred. However, these factors do not outweigh the harm I have identified.
13. There is no information before me that the existing buildings are not fit for purpose. There may be various sustainability matters and efficiencies as a consequence of the proposal, however there is no evidence to demonstrate that an alternative solution, other than the proposal, could not be explored.
14. There may be a permitted development fall-back position for the appellants to pursue, however there are no details submitted to allow me to form a comparison on the matter.

### **Conclusion**

15. I therefore conclude that the proposed building would have a harmful effect on the character and appearance of this part of the National Park. Therefore, the appeal is dismissed.

*Alison Scott*

INSPECTOR