



The Planning  
Inspectorate

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Quality Assurance Unit  
Temple Quay House  
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Bristol, BS1 6PN

Customer Services:

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

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Your Ref: NYM/2012/0482/FL  
Our Ref: APP/W9500/A/12/2184031  
Date: 26 March 2013

NYM/NPA

26 MAR 2013

Or

Dear Mrs Cavanagh

**Town and Country Planning Act 1990  
Appeal by Mr Stephen Towse  
Site at Bottoms Lane, High Hawsker , North Yorkshire**

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

If you have queries or feedback about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at <http://www.planningportal.gov.uk/planninginspectoratefeedback>.

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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

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

Yours sincerely

Edita Jasiukeviciute



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NYM/AL/EN  
26 MAR 2013



## Appeal Decision

Site visit made on 12 March 2013

by **Michael R Moffoot DipTP MRTPI DipMgt MCI**

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

Decision date: 26 March 2013

NYM/NPA  
26 MAR 2013

**Appeal Ref: APP/W9500/A/12/2184031**

**Bottoms Lane, Hawsker-cum-Stainsacre YO22 4LL**

- 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 Stephen Towse against the decision of North York Moors National Park Authority.
- The application Ref.NYM/2012/0482/FL, dated 25 May 2012, was refused by notice dated 30 August 2012.
- The development proposed is described as 'outline planning application for the construction of a detached bungalow with pitches for up to 5 touring caravans'.

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Although the planning application was made in outline form it appears that it was amended to a full application by agreement with the appellant, and the description of development was changed to that which appears on the decision notice. I shall therefore determine the appeal on this basis.

### Main Issue

3. The main issue in this case is the effect of the proposed development on the character and appearance of the area, which is within the North York Moors National Park.

### Reasons

4. The appeal site lies in open countryside between the villages of Hawsker and Robin Hood's Bay, where new housing is not normally permitted under the provisions of Core Policy J of the adopted *Core Strategy and Development Policies*<sup>1</sup> document unless it is essential for, amongst other things, farming, forestry or other essential land management activities. This policy stance is consistent with the *National Planning Policy Framework* (the Framework), which states that new isolated homes in the countryside should be avoided unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside.
5. It is no part of the appellant's case that the proposed bungalow is essential for farming or forestry purposes. The Design & Access Statement indicates that the dwelling would be used in conjunction with the proposed caravan pitches,

<sup>1</sup> Part of the North York Moors National Park Authority Local Development Framework

and I take this to mean it would be used for staff accommodation. Accordingly, an "essential need" has to be demonstrated to justify the dwelling. However, no evidence has been provided to show that the bungalow would fulfil such a need, and I see no requirement for a full-time residential presence on the land to administer what would be a very small caravan site that the appellant proposes as part of the development.

6. The site is located at the junction of Raw Pasture Bank and Bottoms Lane and comprises a rectangular parcel of rough grassland enclosed by well established hedging. The proposed bungalow would be located on raised ground at the north-eastern end of the field on the site of a redundant underground reservoir. Although the level of the land would be lowered slightly to accommodate the dwelling, it would nevertheless be a highly prominent building in this exposed open landscape. Furthermore, its suburban form, uninspiring design and bland materials would be wholly inappropriate in this rural setting, and contrary to the adopted *Design Guide SPD*<sup>2</sup> which promotes local distinctiveness and strongly discourages a standardised approach to the design of new development in the National Park.
7. Amongst other things, Development Policy 16 of the *North York Moors Local Development Framework* (LDF) provides for small-scale caravan sites where they are located within well established woodland or forest and can be accommodated within the landscape without harming the Park's special qualities. The caravan pitches would be arranged along the northern boundary of the appeal site and would be highly prominent notwithstanding the retention of existing boundary hedges and new landscaping proposed, which would provide only very limited screening. In addition, the Policy requires that the site is physically and functionally linked to an existing business and can be managed without the need for additional permanent residential accommodation. This would clearly not be the case here.
8. The bungalow and caravans would be highly visible in the landscape and particularly conspicuous from the road and public footpaths in the vicinity of the site. They would be intrusive and discordant features in this open rural setting, and their impact would be compounded by the hardsurfacing, access, vehicles and domestic paraphernalia associated with residential development and caravan sites.
9. For these reasons, I conclude that the proposed development would seriously harm the character and appearance of the area, contrary to development plan policies that seek to safeguard the special qualities of the National Park. The proposal would also conflict with the Framework, which states that "*great weight should be given to conserving landscape and scenic beauty in National Parks.....which have the highest status of protection in relation to landscape and scenic beauty*".

### Other Matters

10. The appellant argues that the site comprises previously developed land and the proposal would contribute to tourism in the area, where there are many other caravan sites. These arguments do not, however, outweigh my concerns regarding the harmful effect of the proposal on the character and appearance of the countryside.

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<sup>2</sup> *Design Guide Supplementary Planning Document* (Part 1: General Principles)

11. A number of local residents have concerns regarding the implications of the proposal for highway safety. Whilst I found visibility at the access from the farm track on to the public highway was obstructed by signs in both directions, these structures could be relocated to improve the situation. Moreover, I am satisfied that the use would not involve a significant number of vehicle movements that would endanger road users.
12. Concerns regarding ownership and rights of access over the agricultural track adjoining the site are between the relevant landowners and have no bearing on the planning merits of the case. The impact of the proposal on other caravan sites in the area is not a reason for me to dismiss the appeal, and it is for market forces to resolve competition between businesses.

**Conclusion**

13. For the reasons set out above, I conclude that the proposal is unacceptable and the appeal should fail.

*Michael R. Moffoot*

Inspector

