



# The Planning Inspectorate

Quality Assurance Unit  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

Direct Line: 0117-372-8252  
Switchboard: 0117-372-8000

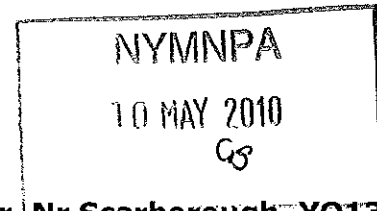
<http://www.planning-inspectorate.gov.uk>



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

Your Ref: NYM/2009/0578/FL  
Our Ref: APP/W9500/D/10/2125059  
Date: 10 May 2010

Dear Mrs Farnell



**Town and Country Planning Act 1990**  
**Appeal by Mr David Elliott**  
**Site at Whinmoor, Browside Stoupe Brow Ravenscar, Nr Scarborough, YO13 0NH**

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

If this appeal is subject to an application for costs, a decision on any application will follow separately, as soon as possible.

If you have queries or complaints about the decision or the way we handled the appeal, you should submit them using our "Feedback" webpage at [www.planning-inspectorate.gov.uk/pins/agency\\_info/complaints/complaints\\_dealing.htm](http://www.planning-inspectorate.gov.uk/pins/agency_info/complaints/complaints_dealing.htm). This page also contains information on our complaints procedures and the right of challenge to the High Court, the only method by which the decision can be reconsidered.

If you do not have internet access, or would prefer hard copies of our information on the right to challenge and our complaints procedure, please contact our Quality Assurance Unit on 0117 372 8252 or in writing to the address above.

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 0207 947 6655.

If you have any queries relating to the costs application you should contact:

Costs and Decision Team  
The Planning Inspectorate

Phone No. 0117 372 8594



4/12 Eagle Wing  
Temple Quay House  
2 The Square, Temple Quay  
Bristol BS1 6PN

Yours sincerely

Sophie Dyke

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*You can now use the Internet to submit and view documents, to see information and to check the progress of this case through the Planning Portal. The address of our search page is -*

*<http://www.pcs.planningportal.gov.uk/pcsportal/casesearch.asp>*

*You can access this case by putting the above reference number into the 'Case Ref' field of the 'Search' page and clicking on the search button*

NYMNP  
10 MAY 2010



# Appeal Decision

Site visit made on 26 April 2010

by **Peter Eggleton MRTPI**

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

The Planning Inspectorate  
4/11 Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN

☎ 0117 372 6372  
email: [enquiries@pins.gsl.gov.uk](mailto:enquiries@pins.gsl.gov.uk)

Decision date:  
10 May 2010

## Appeal Ref: APP/W9500/D/10/2125059

### Whinmoor, Browside, Stoupe Brow, Ravenscar, North Yorkshire YO13 0NH.

- 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 David Elliott against the decision of the North York Moors National Park Authority.
- The application Ref NYM/2009/0578/FL, dated 5 August 2009, was refused by notice dated 14 January 2010.
- The development proposed is a motorcycle garage/shed or store.

### Decision

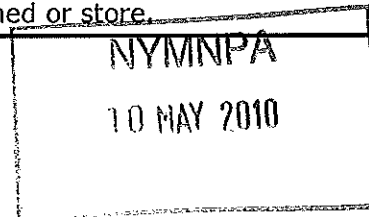
1. I dismiss the appeal.

### Main issue

2. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

3. The proposal would result in a new building to the rear of the existing road side parking area. It would be remote from the dwelling which is set at a much lower level below the road. Given this layout, the current built form within the site has a relatively limited impact on the immediate or wider landscape. The location of the proposed structure would result in it being extremely prominent when viewed from the road. It would represent new development in an area that is currently open. Ancillary structures such as this, rarely contribute positively to the environment which is why it is preferable to locate them inconspicuously. Given the prominence and isolated nature of this building, it would detract from the character and appearance of the site and the surrounding area. It would be contrary to Development Policy 19(1) of the Local Development Framework (LDF) as this seeks to prevent development that would detract from the setting of properties within the landscape.
4. There are a number of other matters that I must also take into account. The structure has been kept to a minimum in terms of its size and the materials chosen would be in keeping with other development in the area. This is an exposed and remote location and it is not unreasonable to seek shelter for vehicles if this can be achieved without undue harm. The use of a motorbike can also be considered to be a more sustainable mode of transport to a private car. Finally, the slope of the land makes locating such a facility in a less prominent location more difficult. However, although I appreciate the difficulties with regard to the steepness of the access, I have received little



evidence as to the practicality of achieving similar accommodation at a lower level within the site so that the structure would be less prominent within the landscape. Although such an option may be less convenient, I have not been convinced that a more acceptable location visually could not be achieved. However, even if no other alternatives were available, given the harm that would result from this proposal, I consider that the matters put forward in support of it would not outweigh my concerns with regard to its impact on the character and appearance of the area.

5. Reference has been made to other buildings, some of which have similarities with this proposal. It is clear that most of these have a long history and I have not been provided with any evidence that the planning authority has been inconsistent in its approach, particularly since the adoption of the LDF. I note the comments with regard to foundations and whilst I see no reason why an engineering solution could not be found to prevent land slip, it is the works above ground that I find to be of most concern. The need for brick piers to support the structure would add to the overall scale of development and as these would be visible across the site, when approaching from the west, this adds to my concerns.
6. I conclude that whilst I have considered all the matters put forward in support of the proposal by the appellant, I do not find that these are sufficient to outweigh my concerns with regard to the harm that would result to the character and appearance of the area. I therefore dismiss the appeal.

*Peter Eggleton*

INSPECTOR

