



The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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The National Park Officer
North Yorkshire Moors
National Park Department
The Old Vicarage
Bondgate
Helmsley
York YO6 5BP

Your Ref:
NYM4/29/442A/PA -16
Our Ref:
APP/W9500/A/97/281550

Date: 6 October 1997

Dear Sir/Madam

TOWN AND COUNTRY PLANNING ACT 1990
APPEAL BY MR & MRS F HANDSCOMBE
SITE AT LAND ADJACENT 'CREST BANK' ROBIN HOOD'S BAY

I enclose a copy of our inspector's decision letter.

Yours faithfully

Mr T Mather

212A

ENC 1

NYMNP
Rec'd - 7 OCT 1997
Ack'd _____
Ans'd _____



The Planning Inspectorate

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Mr A Coates
49 Albany Street
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S65 2AE

Your Ref:

Our Ref:
T/APP/W9500/A/97/281550/P7

Date: 7 OCT 1997

NYMNP

Rec'd - 7 OCT 1997

Ack'd _____

Ans'd _____

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6
APPEAL BY MR & MRS F HANDSCOMBE
APPLICATION NO: NYM4/029/0442A/PA

1. As you know, I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the North York Moors National Park Authority to refuse planning permission for the erection of a bungalow, on land adjacent to 'Crest Bank', Robin Hood's Bay, North Yorkshire. I have considered all the written representations made and I inspected the site on 29 September 1997.

2. From what I have seen and read, I consider there are two main issues. First, whether this scheme would undermine policies designed to protect the character and appearance of this part of the National Park; or second, harm road safety.

3. The Environment Act 1995 provided for the establishment of freestanding National Park Authorities to protect and manage the Parks from 1 April 1997. They have responsibility for maintaining Structure and Local Plan coverage and for continuing the strict control exercised thus far over development in National Parks in order to conserve their attraction and enjoyment. Structure Plan policy E1 aims to conserve the landscape here and H5 resists isolated housing development unrelated to settlements unless agricultural or other special need exists. Policies G2 and H5 of the North York Moors Local Plan reinforce that advice, the former resisting unnecessary housing development outside settlements listed in other policies.

4. As far as the first issue is concerned, in summary you do not believe this development would be "isolated", citing *the former* PPG1 with reference to the continuing need for housing on new greenfield sites outside urban areas. You say Robin Hood's Bay has precious little land available for new housing and that infill plots such as this can be developed "...without impinging on the character or appearance of the area." You argue that PPG7 also lends support because of the continuing need for new housing in rural areas and because "...the appeal site is quite unequivocally an infill plot..."

5. This site lies outside the main built-up area of Robin Hood's Bay, comprising a narrow orchard garden gap in a group of eight dwellings which is not dissimilar from other small groups of dwellings lying in open countryside just outside the village. My colleague came to the same conclusion in November 1996 (T/APP/W9500/A/96/265648/P5).



6. This group is not a defined settlement where housing would normally be allowed without special justification and it seems to me that first and foremost, the tests of need set out in the Development Plan housing policies must apply.

7. Special housing need has not been pleaded and while I can understand your argument that this constitutes an infill plot, paragraph 2.3 of PPG7 Revised makes it clear that in areas statutorily designated for their landscape quality, Development Plan policies give greater weight to restraint than elsewhere. Within this National Park, infilling is only permitted within *defined* settlements and while at first sight paragraph 3.21 of PPG7 appears to adopt a more liberal approach, it states that "...much would depend on the character of the surroundings and the number of such groups in the area." Therefore, given the National Park status and the other groups of dwellings nearby - which despite what you say may well present more infilling opportunities - those are important qualifications and Local Plan policy H5 carries considerable weight. In the absence of overriding housing need, this bungalow cannot be justified because it would undermine the protection of the National Park.

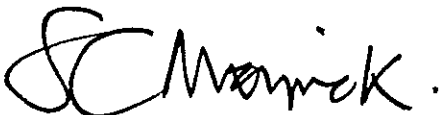
8. Turning to the question of road safety, although you say that one more dwelling would not affect highway safety to such an extent as to justify withholding consent, I disagree.

9. Visibility to the south of the access is severely restricted by the vertical and horizontal alignment of the B1447. While no personal injury accidents have been recorded within the last three years, that is scant justification for permitting another six to eight turning movements daily at such a dangerous place. There is insufficient room for two cars to pass in the lane until the first bend is reached which is about 30m from the main road. Due to the incline of that section and poor inter-visibility, some motorists would have great difficulty in reversing back along the lane if another vehicle entered unknowingly from the B1447. Many local motorists approaching from the south may be aware of this access but this is a popular seaside resort and there would be many others unfamiliar with the area who would be surprised to see a vehicle emerging at that point. They would have very little warning and for that reason the road safety objection is compelling.

10. I have considered all the other matters raised including possible access and visibility improvements which could be carried out here but they would not reduce my concern about the road safety implications of this scheme.

11. Nothing else has been said which alters my conclusions and for the above reasons and in exercise of the powers transferred to me, I hereby dismiss your clients' appeal.

Yours faithfully



S C MEYRICK DipTP FRTPI FRSA
Inspector

NYMNP	
Rec'd	- 7 OCT 1997
Ack'd	_____
Ans'd	_____