



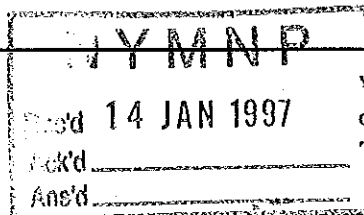
# The Planning Inspectorate

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

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117-987-8927  
Switchboard 0117-987-8000  
Fax No 0117-987-8769  
GTN 1374-8927

Bell-Snoxell Associates  
Barclays Bank House  
Baxtergate  
WHITBY  
North Yorkshire YO21 1BW



Your Ref: BGS/JW/91S  
Our Ref: T/APP/W9500/A/96/273450/P2  
Date: 13 JAN 1997

Dear Sirs

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR J L SMITH  
APPLICATION NO: NYM4/033/0202/OL

1. The Secretary of State for the Environment has appointed me to determine your client's appeal against the North York Moors National Park Committee's refusal of outline planning permission for the erection of four bungalows on part of OS Field 7965 adjoining Swan Farm, High Hawsker. I have considered the written representations made by you and the Park Authority and also those made by other parties and interested persons, including those made directly to the Authority and forwarded to me. I inspected the site on 6 January 1997.
2. From the representations made and my inspection of the site and its surroundings, I consider that the main issue in this case is whether the development proposed would detract from the character and appearance of the village and the natural beauty of the national park contrary to the provisions of the development plan for the area.
3. High Hawsker is one of several villages in the national park in which, by virtue of Policy H3 of the adopted North York Moors Local Plan, new housing development is not permitted unless it comprises *suitable 'infill'*. Infill development is defined in the policy as *the filling up of small gaps, capable of being developed for only one or two houses, in an otherwise continuously built up frontage*. A footnote to the policy explains that sites suitable for development under the policy should normally have a frontage of no more than about 25 metres, depending on the essential character of the village.
4. With a frontage of over 60m and clearly capable of being developed for four dwellings, the appeal site does not meet the requirements of Policy H3. Given that all the statutory procedures were complied with in the preparation of the local plan prior to its adoption, I can give little weight to your argument that it would have been preferable for High Hawsker to be listed under Policy H4. The proposal is in clear conflict with the development plan. I have, nevertheless, considered whether there are material considerations which warrant a favourable decision.
5. The appeal site slopes gently upwards from the main street to link with other farmland which forms an open setting for the north side of the village. Its grassy slope and roadside hedge above a low stone wall are attractive features in themselves and also form a pleasing foreground to views of the well-proportioned Swan Farmhouse and, in the other direction, the huddle of older buildings around the crossroads at the east end of High Hawsker. Moreover, by bringing open land right into the centre of the village, close to the post office and public house, it emphasises the rural character of the settlement. Although, therefore, the site is within the village



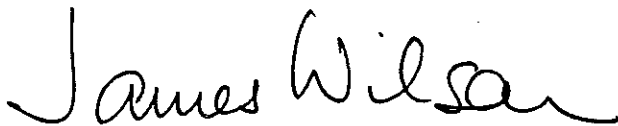
framework, residential development on it would inevitably erode some of the present distinctive character of High Hawsker, however well the houses might be designed and laid out. Four detached bungalows set at an angle to the main street, as proposed in this case, would look entirely out of place and their incongruity would be emphasised by the elevation and slope of the site. Such a layout would certainly not meet the *imaginative standard* of village development which Planning Policy Guidance Note 7 seeks to foster. I am in no doubt that it would detract from the character and appearance of the village and the natural beauty of the national park.

6. You argue that, as only outline permission was sought, a flexible approach to the layout of the site and the accesses to the dwellings could be adopted. However, the siting of the bungalows and the accesses to them were not reserved for later approval. Moreover, I am not convinced that four bungalows could be laid out on such a prominent and central site in a way which would not detract from the character of the village. I come, therefore, to the view that, however well detailed the individual dwellings might be, the overall character and appearance of the development would certainly not be such as to justify setting aside the provisions of the development plan. Rather is it an added reason for not granting permission.

7. No evidence has been produced to support the claim that there is a need for new houses in High Hawsker nor has it been demonstrated how it would be ensured that the proposed dwellings would meet any such local need. I note, moreover, that permission has been granted for development elsewhere in the village and conclude that there is no reason, on grounds of proven local need, to allow a building scheme so clearly at odds with the development plan. I have considered all other matters raised in representations, including the various references to government policies for rural areas and the variety of buildings in High Hawsker, but find nothing to be so compelling as to alter the balance of my conclusions on the main issue in this case.

8. For the above reasons, and in exercise of powers transferred to me, I hereby dismiss this appeal.

Yours faithfully



JAMES WILSON BA(Hons) FRTPI  
Inspector

NYMNP	
Rec'd	14 JAN 1997
Ack'd	_____
Ans'd	_____