



# The Planning Inspectorate

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Room 14/04  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

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

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

Your Ref:  
NYM4/037/0027D/PA  
Our Ref:  
APP/W9500/A/97/287766

Date: 2 February 1998

Dear Sir/Madam

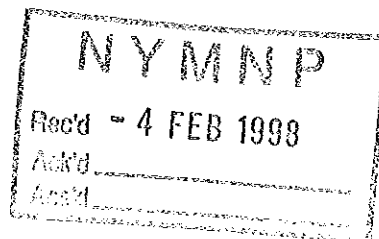
TOWN AND COUNTRY PLANNING ACT 1990  
APPEAL BY MR M WOODING  
SITE AT FORMER BLACKSMITHS SHOP, OS FIELD 0003, DUNSLEY, NORTH  
YORKS

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

Yours faithfully

MRS C A LEE  
Planning Appeals Administration  
212A

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# The Planning Inspectorate

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

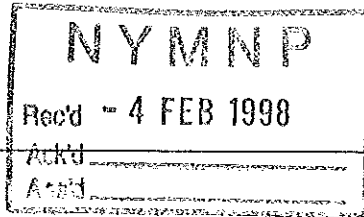
Direct Line 0117 - 987 8927  
Switchboard 0117 - 987 8000  
Fax No 0117 - 987 8139  
GTN 1374 - 8927  
E-mail ENQUIRIES.PINS@GTNET.GOV.UK

Mr D.C.Peake, Architect  
Swang Farm  
Glaisdale  
Whitby  
North Yorkshire  
YO21 2QZ

Your Ref:

Our Ref:

T/APP/W9500/A/97/287766/P4



Date:

- 2 FEB 1998.

Dear Sir

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR M.WOODING  
APPLICATION NO: NYM4/037/0027D/PA

1. I have been appointed by the Secretary of State for the Environment to determine this appeal against the decision of the North Yorkshire Moors National Park Committee to refuse outline planning permission for the conversion of the former blacksmith's shop and stable to the south side of Dunsley, Nr Whitby to form a new dwelling. I have considered the written representations made by you, by the Committee and by Newholm cum Dunsley Parish Council. I inspected the site on 20 January 1998.
2. It is my view that this application should not be treated as an outline application, as described on the application form, but as a full application. The proposal is based on an existing building and the deposited plans show sufficient information for the application to be considered in detail. Only landscaping is indicated as being a reserved matter and this is capable of being dealt with by way of a planning condition.
3. From my visit to the appeal site and its surroundings and from my reading of the representations, I consider that the main issue in this case is the impact of the proposal on the landscape setting of Dunsley.
4. The development plan is the North Yorkshire County Structure Plan (as amended) and the North York Moors Local Plan, adopted in 1992. Structure Plan Policies E1 and H5 seek to conserve the landscape and general amenity of the National Park and restrict new housing in open countryside to that essential for farming and forestry. These matters are reflected in Local Plan Policies G2 and H5.
5. You submit that the appeal site should properly be considered as lying within what you term the "village", and what the Committee terms the "hamlet", of Dunsley. Although the site lies within the 30mph speed limit and opposite a pair of Victorian semi-detached houses, it appears to me divorced from the main body of what I accept is not a closely knit settlement. There is a considerable gap between the site and the next building, Dunsley Hall.

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You point to the presence of a new domestic access in between, but this is a long driveway and the dwelling it serves is close to the Hall. I conclude therefore that the site should be regarded as lying outside the settlement of Dunsley and the proposal therefore falls to be considered against the background of either Local Plan Policy BC12 or H5.

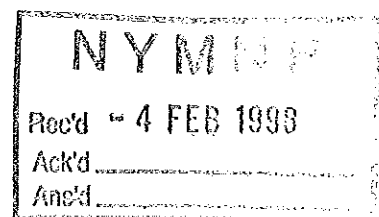
6. Policy BC12 allows for the conversion to residential use of redundant buildings of architectural and historic merit which make a significant visual contribution to the landscape and character of the National Park, subject to a number of criteria; the first of these is that the development should retain and reflect the simple functional form and traditional character of the building, which should normally be of sufficient size for conversion without the need for extension; the second is that the building is in a structurally sound condition, capable of conversion without substantial rebuilding.

7. The appeal premises comprise a single storey former blacksmith's shop with adjoining stabling, built of stone with a clay pantile roof. The building is divided approximately in half by a cross wall. The northern part is still standing and appears to be in use as a field shelter; its structural condition appears to be far from good, as evidenced by the propping up of part of the east elevation. The southern part has collapsed, with only small parts of the external walls remaining.

8. Considering the existing building against the criteria of Policy BC12, it does not appear to be redundant; the northern part has a low key agricultural use. It is a simple building which, by dint of its use of local vernacular materials does not look out of place in this location. However, in my view it is of little architectural or historic merit and contributes little to the landscape and character of the National Park. Moreover, the building is not structurally sound. The southern part would require almost complete rebuilding and I remain unconvinced that the northern part could be converted without substantial rebuilding; no structural survey has been submitted to persuade me otherwise. Together with the proposed alterations, the proposal would to my mind amount to the effective rebuilding of a new dwelling on this site, albeit largely following the profile of that which once existed. Therefore, I conclude that the proposal would not be supported by Policy BC12 and more properly falls to be tested against Policy H5.

9. Policy H5 would seek to resist new dwellings in the countryside, unless there was an appropriate rural need for a dwelling in that location. However, your client's local business base is in Whitby. Whilst this business is undoubtedly valuable to the local community, there appears to be no need, as opposed to desire, for him to live at the appeal site. In terms of his occupancy of the building, which you say by its infrequent nature would not introduce domestic paraphernalia to the site, this could not be guaranteed to continue in the future. PPG1 reminds us that works of a permanent nature will remain long after the personal circumstances of the applicant have ceased to be material. Therefore, the proposal would conflict with Policy H5.

10. In conclusion, the proposal would introduce an inappropriate new dwelling to the rural surrounds of Dunsley, bringing an unsuitable element of domestication into the National Park landscape, which both local and national policy seeks to conserve for its natural beauty. Your client's personal circumstances do not appear to warrant my coming to a decision which would be contrary to the provisions of the adopted development plan.



11. I have taken account of all other matters raised in this case. I am satisfied that, had the principle been acceptable, the design details and the means of vehicular access would also have been acceptable. However, any benefit of tidying up the site would in my view be outweighed by the inappropriate domestication of the site. The presence of other modern dwellings in and around Dunsley, to which you refer, does not appear to justify further inappropriate development here. None of the other matters raised are sufficient to alter my conclusion.

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

Yours faithfully

*B.S. Rogers*

B.S. Rogers BA, DipTP, MRTPI  
Inspector

