



Appeal Decision

Site visit made on 4 April 2022

by L Wilson BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 19 May 2022

Appeal Ref: APP/W9500/W/21/3285938

Land near to Station Square, Ravenscar

- 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 Stuart Anderson against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2021/0229/FL, dated 22 March 2021, was refused by notice dated 29 June 2021.
 - The development is a proposed replacement stable block.
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Decision

1. The appeal is allowed and planning permission is granted for a replacement stable block at land near to Station Square, Ravenscar in accordance with the terms of the application Ref NYM/2021/0229/FL, dated 22 March 2021, and the plans submitted with it, subject to the attached schedule of conditions.

Main Issue

2. The main issue is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

3. The appeal site contains an existing dilapidated timber stable building which is constructed of a mixture of materials. It is situated towards the south west of the terraced houses on Station Square. The replacement stable block, with an associated storage area, has been designed to accommodate the appellant's large breed horses and to withstand the weather in this location. This results in the replacement building having a more agricultural appearance.
4. The replacement stable block would not be directly next to 4 Station Square. Nonetheless, it would be situated in a similar position as the existing stable which forms part of the landscape character of this part of the National Park. It would also be seen in the context of the terraced houses and nearby residential dwellings.
5. The replacement building would not be significantly larger than the existing stable. Having regard to the existing building and the surrounding built development, the proposed development would not appear out of scale. Although the building would have more of an agricultural appearance than the existing stable, the proposed materials and roller-shutter door would not in itself make the proposal unacceptable. Furthermore, the proposed development would not be a prominent feature when viewed from the surrounding area,

including from Station Square and the Cinder Track. This is due to a combination of the topography of the area, vegetation as well as the building's scale, design and siting to the south west of the terrace.

6. Consequently, the proposed building would be of an acceptable scale and design for its intended use and setting which would be appropriately located and would not have an unacceptable impact on the landscape character. For these reasons, the proposed development would not have an unacceptable effect on the character and appearance of the surrounding area and would not have a detrimental impact on the wider setting of the National Park and its special qualities.
7. Accordingly, the scheme would comply with Strategic Policy A and Policy C020 of the North York Moors National Park Authority Local Plan (2020). These policies seek, amongst other matters, to ensure horse related development for private use are of an appropriate scale and design which do not have an unacceptable impact on the local landscape character.

Other matters

8. It is clear from the information before me that the appeal site is located near to the North York Moors National Park, Beast Cliff-Whitby (Robin Hood's Bay) Special Area of Conservation (SAC) and Robin Hood's Bay: Maw Wyke to Beast Cliff Site of Special Scientific Interest (SSSI). The appeal site is located approximately 250 metres away from the SAC and SSSI. Natural England (NE) considered that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.
9. NE recently updated the conservation status of the Teesmouth and Cleveland Coast SPA/ Ramsar Site and has provided updated advice with a new generic methodology. The main parties and NE were given the opportunity to comment on this matter.
10. On the basis of the evidence before me, the development is not within the catchment of the Teesmouth and Cleveland coast SPA/ Ramsar site. Therefore, given that the proposal seeks to replace the existing stable building and scale of the proposed building as well as the location of the site and type of development, I am satisfied that there would be no adverse effect on the integrity of the European sites.

Conditions

11. I have assessed the LPA's suggested conditions in light of guidance found in the Planning Practice Guidance and where necessary the wording has been amended for clarity and precision. The appellant and LPA were given the opportunity to comment on the altered wording of these conditions.
12. It is necessary to attach a condition specifying the approved plans as this provides certainty. I have also imposed conditions restricting the development's use for private domestic purposes only which is ancillary to the residential use of 4 Station Square, to control external lighting and to control details of the storage and disposal of waste (including manure). These are necessary in the interests of the character and appearance of the area as well as the National Park landscape and having regard to the living conditions of nearby occupiers.

Conclusion

13. For the reasons given above the appeal succeeds.

L M Wilson

INSPECTOR

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Location plan, Site/Roof Plans (01) and proposed arrangements (03 Rev A).
- 3) The development hereby permitted shall be used only for the horses kept for private domestic use. Neither the development hereby permitted, nor site shown on the approved plans, shall be used for any other purpose, including a commercial use.
- 4) The development hereby permitted shall be used only for purposes ancillary to the residential use of the dwelling known as 4 Station Square, Ravenscar and shall not be sold or leased separately from the main dwelling.
- 5) Prior to the installation of any external lighting, details should be submitted to and approved in writing by the local planning authority. External lighting shall thereafter only be installed in accordance with details approved by the local planning authority.
- 6) Prior to the first use of the development hereby permitted, details of the containment, storage and disposal of waste (including manure), shall be submitted to and approved in writing by the local planning authority. The storage and disposal of waste shall thereafter only be undertaken in accordance with details approved by the local planning authority.