



# Agenda

**Meeting: Planning Committee**

**Venue: The National Park Office, The Old Vicarage, Bondgate, Helmsley**

**Date: Thursday 14 May 2026 at 10.00am**

## Business

1. Livestreaming and recording – The chair to inform members of the public that the meeting is livestreamed and recorded.
2. Emergency evacuation procedure – The chair to inform members of the public of the emergency evacuation procedure.
3. Apologies for absence
4. Public minutes of the meeting held on Thursday 26 March 2026
5. Public minutes of the site visit minute held on Friday 01 May 2026
6. Public question time (an opportunity for members of the public to ask questions)
7. Members are reminded that it is their responsibility to declare the nature of any personal, prejudicial and/or disclosable interests relating to any agenda item immediately prior to its consideration and are encouraged to complete a written declaration using the form provided.
8. Miscellaneous items
  - a) Ongoing planning and enforcement appeals
  - b) Determined planning and enforcement appeals
  - c) Planning applications determined by the Director of Planning
  - d) List of enforcement matters determined by the Director of Planning
9. To consider applications, together with the Director of Planning recommendations thereon:-

<b>Plans List Item Number</b>	<b>Application Reference</b>	<b>Development description and site address</b>
1	<u><a href="#">NYM/2024/0877</a></u>	demolition of a twin garage and construction of one principal residence dwelling with parking, amenity space and landscaping works

Plans List Item Number	Application Reference	Development description and site address
		together with construction of replacement garage at Thorpe Cottage, Chestnut Avenue, Thornton-le-Dale
2	<a href="#"><u>NYM/2025/0779</u></a>	conversion of agricultural buildings to form three local needs dwellings, garage and store with associated access, parking, amenity spaces and landscaping works (part retrospective) at Lenderfield House, Daleside Road, Church Houses
3	<a href="#"><u>FL/2026/00032</u></a>	change of use of land from agricultural to equestrian, creation of manege, erection of stable building, construction of access track/parking/turning area and retention of four ground source heat pump boreholes (part retrospective) at land to the rear of Box Tree House, 13 The Crescent, Carlton in Cleveland
4	<a href="#"><u>NYM/2026/0001</u></a>	construction of part single and two storey rear extension, removal of shed and reinstatement of pedestrian access, provision of rear vehicular access and parking together with extension of terrace (revised scheme following withdrawal of NYM/2024/0117) at Holly House, Carlton In Cleveland
5	<a href="#"><u>NYM/2026/0063</u></a>	use of land for the siting one camping pod for holiday letting purposes (relocated from approved scheme NYM/2021/0747/FL) at Lawns Farm, Barry Bank, Ugthorpe
6	<a href="#"><u>NYM/2021/0320</u></a>	Revised scheme to NYM/2014/0149/FL to allow outside seating area and change of opening hours together with erection of pergola to provide covered outdoor seating area and siting of chiller unit with timber screen (part retrospective) at 18 Bridge Street, Helmsley
7	<a href="#"><u>FL/2026/00062</u></a>	change of use of agricultural land to domestic garden and erection of garden room (retrospective) at land to the east of Swallows Nest Northfield Farm Limestone Lane to Swang Road Scarborough
8	<a href="#"><u>NYM/2026/0077</u></a>	installation of a ground mounted solar array comprising 192 panels (82.8kW output) with associated meter hut and battery storage unit at Middlewood Farm Caravan Site, Middlewood Lane, Fylingthorpe

**Relevant planning files are available for inspection prior to the Meeting upon request. Photographic evidence will be on display in the Committee Room (where applicable).**

10. Such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

Chris France  
Director of Planning

**Press Contact: Nina Beadle, Media and Communications Officer, 01439 772700**

**Note:**

- To ensure this meeting is conducted in an open and transparent manner it will be live streamed to the public and recorded. A link will be published under the relevant meeting heading on the Authority's website. The recording will be held in accordance with the Authority's retention policy.
- The Authority allows the videoing of public meetings but asks that any party wishing to do so informs the Authority in advance of the meeting. Videoing that disrupts the meeting is not allowed. Persons expressly refusing consent, children and vulnerable adults cannot be filmed or photographed. The existing rules relating to confidential and exempt information, defamation, Data Protection and Public Order apply. The Authority accepts no liability whatsoever for the videoing carried out by other parties.
- Members are reminded to turn all electronic equipment to silent mode, including mobile phones, laptop computers and tablets. Please note that only information that is available to Members during the Committee meeting should be accessed from a computer in the interests of sound decision making.
- Please note that the meeting may be adjourned to enable Members and Officers to have appropriate breaks (including lunch). This will only be undertaken when absolutely necessary and at the Chair's discretion. Lunch will be available at approximately 12.30 pm. Members taking lunch will have the appropriate amount deducted from any subsistence claim they may make.
- Tea and coffee will be available a quarter of an hour before the meeting.
- Please ensure when parking in the car park that you have not caused an obstruction which could prevent emergency vehicles accessing the building.
- Judith Seaton should be notified of any apologies.
- This agenda and application documentation are also available on the website [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk). Comments on planning applications can be submitted by post to North York Moors National Park Authority, The Old Vicarage, Bondgate, Helmsley, YO62 5BP or by e-mail to [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)
- This agenda is available in large print on request.

# North York Moors National Park Authority

## Item 4, Public minutes of the meeting held on Thursday 26 March 2026, 10.00am

### Present:

Malcolm Bowes, Jane Harper, David Hugill, George Jabbour, David Jeffels, John McCue, Paul McInnes, Heather Moorhouse, Abida Nayyar, John Ritchie, Clive Pearson, Janet Waggott, Colin Williamson

**The Chair notified all present that the meeting is being live streamed to the public and recorded.**

### Apologies:

Jim, Bailey, Michelle Donohue-Moncrieff, Christine Robertson, Arnold Warneken

## Copies of all documents considered are in the minute book

### 14/2026 Minutes

That the public minutes of the meeting held on Thursday 05 February 2026, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

### 15/2026 Public question time

There were no questions from members of the public.

### 16/2026 Members interests

Members were reminded of their responsibility to declare any personal, prejudicial and/or disclosable interests relating to any agenda item prior to its consideration.

### 17/2026 Emergency evacuation procedure

The Chair informed members of the public of the emergency evacuation procedure.

### 18/2026 Miscellaneous items

Considered: The report of the Director of Planning

**Resolved:** That the report be noted.

### 19/2026 Applications for planning permission

The following members of the public addressed the meeting regarding the plans list items indicated:

Plans list item 1: Henry Wainright spoke in favour of the application.

Plans list item 2: Jackie Campbell spoke against the application.

Considered: The report listing applications and the Director of Planning's recommendations thereon.

Members also considered further information circulated on the Members' update sheet including; updates from the Director of Planning and comments received after the agenda was printed from: consultees, objectors and supporters.

**Resolved:**

That with regard to all applications listed in the report and subject to:

the amendments specified below; and

the imposition of conditions in accordance with the relevant provisions of Sections 91-94 of the Town and Country Planning Act 1990, except in those instances where an alternative condition is contained in the Director of Planning's recommendation or in an amendment referred to in (i) above:

Decisions be given in accordance with the Director of Planning's recommendations.

**Plans list item 1**

NYM/2025/0743 - siting of one additional silo, one additional secure storage unit and one additional stretched tent (one silo, one tent and one secure storage unit approved under NYM/2024/0528) at The Flower Belt (seasonal April - Oct) (part retrospective) at field adjacent A170 located south of Helmsley.

**Declarations of interest:** George Jabbour declared a prejudicial pre-determination interest in this item as the site lies within his division and it is a project he has supported, as such, left the room.

**Resolved:** Approved as recommended.

**Plans list item 2**

NYM/2024/0877 - demolition of a twin garage and construction of one principal residence dwelling with parking, amenity space and landscaping works together with construction of replacement garage at Thorpe Cottage.

**Resolved:** Consideration deferred to enable a site visit to be undertaken to fully assess the parking and access arrangements and the relationship between the proposal and the other dwellings, with the attendance of Members being regarded as an approved duty for the purposes of the payment of Members' allowances.

**Plans list item 3**

NYM/2026/0115 - installation of replacement uPVC windows at The Plough, Boonhill Road, Fadmoor.

**Resolved:** Approved as recommended.

# North York Moors National Park Authority

## Item 5, Public site visit minutes of the meeting held at Thorpe Cottage, Chestnut Avenue, Thornton-le-Dale, on Friday 01 May 2026, 10.00am

**Present:** Mr C Pearson (Chair), Mr J Ritchie (Deputy Chair), Mr M Bowes, Ms H Moorhouse, Miss J Waggett, Mr C Williamson

**Apologies:** Ms Donohye-Moncruef, Mr A Warneken, Mr P James

**National Park Authority Officers:** Chris France (Director of Planning), Emily Jackson (Senior Planning Officer)

**Others:** Mr Patrick Cuddy (Agent)

**Residents:** Beverley Batty, Ms H Flinton, Anne Andrews, David Andrews, G Dickenson, Jackie and John Campbell

Alms Houses Trustee – Adrian Hamilton

Chair of Alms Houses Trust – Jill Garbutt

**Community Representative (Country Councillor)** – Janet Sanderson

### **NYM/2024/0877: demolition of a twin garage and construction of one principal residence dwelling with parking, amenity space and landscaping works together with construction of replacement garage for Thorpe Cottage**

Members visited the site on foot via Chestnut Avenue in order to view the applicant's property, Thorpe Cottage, and to better understand its relationship to the application site. Members then proceeded via Brook Lane to the application site.

The meeting formally commenced outside the rear garden of Thorpe cottage to view the application site from Brook Lane. Chris France outlined the purpose and procedure of the site visit and summarised the reasons for the visit following the deferment of the application at the previous Planning Committee meeting. These reasons were to allow Members to clarify matters on site, including land ownership boundaries following completion of the development, access and highway considerations, potential overlooking and amenity impacts, design, the impact on the Almshouses, and the impact on the Conservation Area street scene.

Emily Jackson presented an overview of the proposal, including the land ownership division resulting from the proposal, the design of the development, and the position of each element within the site.

Objectors raised a number of questions in relation to parking provision, including the number of parking spaces proposed for both the new dwelling and the applicant's existing property, and why recommended parking standards for Thorpe Cottage as a four bedroom dwelling were not met. In response, Emily Jackson advised that the Local

Highways Authority had raised no objection to the proposal, noting that the area was considered to experience low traffic levels and that the proposed access arrangement was not expected to have an adverse impact on highway safety.

Further concerns were raised by objectors regarding the use of Brook Lane by large HGVs and service vehicles such as recycling and delivery vehicles which were required to reverse along the lane due to an inability to turn at its end.

Discussion followed in relation to access points that had been marked out on site. Emily Jackson clarified that these markings had not been undertaken by either the agent or the Local Highways Authority. The agent subsequently confirmed that the measurements were inaccurate. Attendees agreed that the markings were indicative only.

Emily Jackson reiterated that the Local Highways Authority had raised no objection to the proposal but confirmed that the Authority would be consulted again regarding the matters raised prior to the next committee meeting to seek further clarification.

Members then considered the relationship between the proposed gable end of the dwelling and the property opposite, Long Meadow, in order to assess the potential for overlooking. At the request of objectors, the agent confirmed that the separation distance between the properties would be 11.6 metres. Objectors expressed concern that this was below a 'statutory' minimum distance. Officers advised that there was no statutory minimum separation distance between dwellings and that each case must be assessed on its individual merits. Members were also advised that similar window-to-window relationships already existed on both sides of the road.

The meeting then moved into the application site, where the agent had marked out the location of the proposed dwelling and garage. Objectors queried the proposed division of the curtilages between Thorpe Cottage and the proposed dwelling which was subsequently explained and physically marked out on site by the agent for clarity.

Members raised questions regarding the proposed height of the dwelling. The agent showed members the proposed elevations and advised that the height would be below the ridge heights of neighbouring dwellings.

Representatives of the Almshouses raised concerns regarding the siting of the dwelling relative to the boundary wall which forms part of the listed curtilage and its future maintenance. Chris France confirmed that future maintenance of the wall was not a planning consideration. The representatives also queried whether the cherry tree within the rear garden would be retained. The agent confirmed that the tree was shown to be retained on the submitted plans, albeit with crown lifting and reduction. Officers advised that the tree was not subject to a Tree Preservation Order but was located within a Conservation Area, meaning prior notification would be required for its removal.

Additional issues were raised by neighbouring objectors, including the existing use of the garages proposed for demolition, which were stated to be used for domestic storage rather than vehicular parking. Neighbouring objectors raised concerns regarding the location of the proposed garage serving Thorpe Cottage and the resulting impact on the amenity of Brook Cottage arising from vehicle movements and headlight glare.

Clarification was also sought regarding the distance between the proposed dwelling and the boundary with Brook Cottage, which the agent confirmed would be 2.74 metres.

Members then highlighted that there was an existing outbuilding to the rear of Brook Cottage and asked for clarification on its use and the number of vehicles it served. The owner who was in attendance confirmed that it was used as a garage and that it accommodated one vehicle as it was just her living in the property.

A question was raised regarding the existing hedgerow between the proposed dwelling and Brook Cottage and whether this would be retained. The agent confirmed that the hedgerow would be removed but advised that it could be removed at present anyway and that the required 10% biodiversity net gain would be achieved as part of the proposal. Objectors raised concerns regarding the potential loss of privacy resulting from the removal of the hedgerow.

A trustee of the Almshouses queried whether the proposed garage would adversely affect light to the Almshouses. The agent advised that the application site was at a higher level than the Almshouses and therefore any loss of light would not be significant.

The Chair thanked those present and closed the site meeting at 10.45am. Following the meeting, Members walked in the opposite direction along Brook Lane to view other properties within the street scene which Members considered to be of a similar design and layout to the proposed development.

# North York Moors National Park Authority

## Item 6, Public Question Time

### When?

Public Question Time will be at the beginning of each meeting, immediately after the minutes of any previous meeting have been agreed and will be limited to a maximum of 15 minutes of questions and answers in total.

### What?

- Only questions will be allowed, and these must relate to the business of the Authority.
- Any questioner will be limited to two minutes maximum speaking time.
- Supplementary questions will only be allowed for purposes of clarifying an earlier answer.
- If answers cannot be provided on the day a reply in writing will be offered

### How?

Any questions must be delivered in writing to the Director of Planning at least two clear working days before the meeting. The Chair will then call questioners at the meeting in the order questions were received.

**Answers to questions will normally be given by the Chair.**

### Exclusions?

No question relating to an individual recipient of services will be allowed, as appropriate alternative channels exist for such inquiries.

The opportunity to ask questions under this scheme does not apply to staff or their representatives, since other mechanisms are available.

No questions can be accepted which relate to matters which would normally be dealt with in private session because they relate to exempt information, for example: -

- Legal actions
- Financial and business affairs of other organisations
- Individual members of staff
- Trade Union negotiations

No questions can be accepted where there is a statutory procedure in place for public consultation, for example: -

- Traffic regulation orders
- Public rights of way orders, etc

### Notice of questions should be sent to:

Director of Planning, National Park Office, Old Vicarage, Bondgate, Helmsley, YO62 5BP  
or by email to [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk).

## North York Moors National Park Authority

### Item 8, Miscellaneous items

(a) Ongoing planning and enforcement appeals. Position as of 28 April 2026

Please note that the appeal documentation for each of the ongoing planning/enforcement appeals listed below can be found by clicking on the reference number.

<b>Reference number</b>	<b>Appellant's name</b>	<b>Development description and site address</b>	<b>Date appeal lodged and type</b>	<b>Date, time and venue for Hearings/Inquiries</b>
NYM/0025/2025	Mr & Mrs Coldbeck	Without planning permission, the erection of a timber stable building on the land south of Crosses Farm, Harwood Dale	26/06/2025  Written representations	Not applicable

(b) Determined planning and enforcement appeals for the period 24 February 2026 to 28 April 2026

Please note that the appeal documentation for each of the determined planning/enforcement appeals listed below can be found by clicking on the reference number.

<b>Reference number</b>	<b>Appellant's name</b>	<b>Development description and site address</b>	<b>Date appeal lodged and type</b>	<b>Decision</b>
NYM/2025/0438	Shaun Muir c/o Agent	Construction of two dormer windows and installation of replacement composite cladding at The Timber House, Hutton Village	20/11/2025  Fast Track	Appeal dismissed. Decision at Appendix A

		Road, Guisborough		
NYM/2025/0413	Mr & Mrs Jewell c/o Agent	Variation of condition 2 (material amendment) of planning approval NYM/2023/0550 to allow alterations to the roof height of the approved extensions, changes to the fenestration and doors together with additional rooflights at East End Farm, East End, Egton	21/11/2025  Written representation	Appeal allowed.  Decision at Appendix B

(c) Applications determined by the Director of Planning

A list of applications determined by the Director of Planning in accordance with the scheme of delegation is attached at appendix C.

NB: Members wishing to enquire further into particular applications referred to in the Appendix are asked to raise the matter with the Director of Planning in advance of the meeting to enable a detailed response to be given.

(d) List of enforcement matters determined by the Director of Planning

A list of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation is attached at appendix D.

Tom Hind  
Chief Executive

Chris France  
Director of Planning

Background documents to this report

Document	File Ref	Location
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Signed letter: dates as given	3024	The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP
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## Appeal Decision

Site visit made on 8 January 2026 by A Morrison MTCP MRTPI

### Decision by N Bowden BA (Hons) Dip TP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 09 March 2026

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### Appeal Ref: 6001729

#### The Timber House, Hutton Village Road, Guisborough TS14 8EW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by Mr Shaun Muir against the decision of North York Moors National Park Authority.
  - The application Ref is NYM/2025/0438.  
The development proposed is originally described as new dormers and roof level window, removal of disused chimney stack and replacement cladding to main house.
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### Decision

1. The appeal is dismissed.

### Appeal Procedure

2. The site visit was undertaken by a representative of the Inspector whose recommendation is set out below and to which the Inspector has had regard before deciding the appeal.

### Preliminary Matters

3. The description in the banner heading is taken from the original application form. The appellant has confirmed a change to the description following the submission of amended plans to retain the chimney stack, and I note that this also reflects the description on the decision notice. I have therefore assessed the appeal on the basis of the clearer revised description of 'Construction of two dormer windows and installation of replacement composite cladding'.
4. As part of the appeal submission, I have been provided with an alternative scheme in respect of the dormer windows to the one considered by the Council. The revised plans would replace the proposed larger single south elevation dormer with two much smaller dormers, whilst the proposed east elevation dormer would be reduced in size so that it matches the others.
5. The changes to the south elevation are substantially different to the scheme on which the Council made its decision, and I am unaware of any formal consultation taking place on this alternative proposal. Accepting the revised plans for consideration as part of this appeal therefore has the potential to prejudice the Council and/or other interested parties from an opportunity to comment. In accordance with *Holborn Studios Ltd v The Council of the London Borough of Hackney* [2017] EWHC 2823 (Admin) and in the interests of procedural fairness, I have therefore made my recommendation on the basis of the same plans that the Council determined the planning application which led to this appeal. This does not

preclude the appellant from submitting an alternative proposal to the Council by way of a further planning application should they wish to do so.

6. The appeal site is within the North York Moors National Park (the NP). I have a duty under the National Parks and Access to the Countryside Act 1949 (as amended by the Levelling Up and Regeneration Act 2023) to seek to further the purposes of the NP, which includes conserving and enhancing natural beauty, wildlife and cultural heritage. In making my recommendation, I have had regard to this statutory duty.
7. The appeal site is within the Hutton Lowcross Conservation Area (the CA). The statutory duty set out in Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act) requires special attention to be paid to the desirability of preserving or enhancing the character or appearance of a Conservation Area.

### **Main Issue**

8. The main issue is the effect of the proposed development on the character and appearance of the host dwelling and area, including whether it would preserve or enhance the character or appearance of the CA.

### **Reasons for the Recommendation**

9. The CA is situated on the fringe of Guisborough and encompasses the estate parkland and agricultural fields formed around Hutton Hall, a C19 country house. Having regard to the Home Farm and Hutton Hall Appraisal (the Appraisal), the CA's significance principally derives from its architectural and industrial heritage, including a Victorian farmstead and the Alfred Waterhouse-designed Hutton Hall with its adjacent stables, built for the locally influential Pease family. These key building groups, along with the limited number of other non-designated buildings interspersed across the CA, possess a historic and aesthetic value which, in combination with their spacious landscape setting, is fundamental to the area's special interest and rural character.
10. The sizeable two storey appeal property, built in the 1930's as a timber demonstration house, stands largely on its own, set well apart from the nearest neighbouring dwellings as comprise the Old School House. It occupies a prominent position beside a public footpath running through the centre of the CA, with its widely exposed rear elevation also visible from Hutton Village Road.
11. The dwelling has been significantly extended and altered since the Appraisal was prepared, however its well-balanced form and characteristic timber facing materials mean it continues to present a distinctively natural and mellow aesthetic. Much of this authenticity stems from the varied details, tones and textures of its extensive natural cladding boards, whose organic appearance helps the present building assimilate within the landscape despite its considerable breadth. Owing to the sympathetic quality of its existing design, the dwelling therefore continues to justify its identification in the Appraisal as a building of local significance, and accordingly I find that it makes a positive contribution to the character and appearance of the CA.
12. The proposed dormer window to the open south elevation would rise to the full height of the roof slope and span across much of its width. It would not be set in from the edges of the roof, and through its substantial proportions, would create a

visually heavy and dominant mass that fails to respect the dwelling's original two-storey form. I appreciate that this elevation has contemporary architectural elements, and that the design incorporates matching fenestration and roof pitches. Nevertheless, these details would not mitigate the resultant excessively bulky appearance. Through its cumbersome siting and sheer volume, the dormer would disrupt the attractive balance and scale of the rear elevation, in doing so diminishing the property's character and appearance, with this harmful impact in view from the adjacent road.

13. The proposed east facing dormer would be smaller in comparison and would sit well above the eaves line. However, its height would be set only marginally down from the main ridgeline and due to its width, would provide little visual separation from the chimney in front. As a result, its overall positioning and massing would produce an unduly bulky appearance that again fails to respect the dwelling's essential form and character, a harmful effect which would be plainly seen from the nearby public footpath.
14. Dormer windows are present in the wider surroundings, but they do not offer a meaningful comparison to the proposals. Those on the neighbouring Old School House appear to form part of its original architectural composition and, in any case, are modest in scale and positioned well below the ridgeline, giving them a clearly subordinate appearance. Dormers elsewhere in Hutton Village lie outside the CA within a different setting and therefore cannot justify inappropriate development at the appeal site.
15. The evidence before me indicates that whilst the dwelling's current timber cladding only dates from 2011, it replaced earlier timber materials across the elevations. Timber as a main facing material has therefore long been integral to the building's identity and contributes significantly to its character. While the appellant claims that the existing cladding has deteriorated substantially since installation, no supporting evidence has been provided, and timber of this type is generally expected to have a far longer lifespan when properly maintained.
16. The appellant contends that the proposed replacement brushed Silver Birch finish composite cladding would echo the visual effect of painted timber cladding. In support of this, reference is made to the Council's recent approval for the existing timber cladding to be painted light grey, which is presented as a fall-back position for comparison with the proposed composite material.
17. The Courts have held that in considering the concept of a fall-back development as a material consideration, there should be a "real prospect" of it being implemented, and not just a theoretical possibility that the development might take place. It is also held that it is for the decision-maker to exercise their planning judgement on this matter and to ascribe the appropriate weight.
18. The appellant asserts that whilst it was initially intended to simply treat and paint the existing cladding, closer inspection has revealed serious faults that will render certain areas prone to failure and degradation even with painting. This casts substantial doubt over whether the fall-back position, said to be indistinguishable from the proposed composite cladding, would actually be implemented. Maintaining an acceptable painted finish would also require regular reapplication, and given the amount of cladding on the large building, it is reasonable to question whether such upkeep would realistically occur. Moreover, because of the natural characteristics

of timber, including knots and large variations in grain, the resulting painted appearance would not closely replicate the consistent finish of the proposed composite material, a difference that would be apparent in public views from the footpath. For these reasons, I have afforded the fall-back position only very limited weight as a material consideration.

19. By virtue of the lack of detail and variation in its finish, both when installed and as time passes, the contemporary and overly uniform appearance of the composite cladding would undermine the character and appearance of the dwelling. This harm would be exacerbated by the extent of its coverage across the building and although I recognise that the property has evolved and been modernised over time, through its exposed rural and heritage setting, it remains sensitive to change. As a distinctly modern product, the composite cladding would appear incongruous against the traditional and natural qualities of its surroundings, and would therefore detract from the character and appearance of the CA.
20. The National Planning Policy Framework (the Framework) stipulates that when considering the impact of development on the significance of designated heritage assets, great weight should be given to the asset's conservation. Taking into account its localised effect in the context of the extent of the CA, I find the harm that would arise from the proposal would be at the lower end of less than substantial harm, but nevertheless of considerable importance and weight in the planning balance of the appeal.
21. Whilst the appeal scheme would give rise to private benefits for the householder, any wider public benefits as related to the short-term economic activity generated during construction would be only very limited. Consequently, these considerations do not amount to benefits sufficient to outweigh the identified harm to the CA.
22. The Framework also requires that great weight be given to conserving and enhancing landscape and scenic beauty of the NP. The effect of the proposal on the landscape is not a matter in dispute between the main parties. Given the domestic nature and scale of the proposals, I agree that the landscape and scenic beauty of the NP would be conserved. Even so, this does not overcome the more localised harmful effects identified to the host building and the CA.
23. On this basis, I conclude that the proposed development would have a harmful effect on the character and appearance of the host building and area, and would fail to preserve or enhance the Hutton Lowcross Conservation Area. It would therefore fail to satisfy the requirements of the Act and conflict with Strategic Policy C and Policies ENV11 and C017 of the North York Moors National Park Authority Local Plan July 2020. These policies require, amongst other things, that new development conserves or enhances the significance of heritage assets including with regard to their special character and appearance, and is of a high quality design that reflects and complements the character and form of the original dwelling and its landscape setting. The proposal would also conflict with Part 2 of the Council's Design Guide, which is a material consideration and advises that dormers windows should be small in scale and not dominant in appearance.

## **Conclusion and Recommendation**

24. For the reasons given above and having had regard to all other matters raised, I recommend that the appeal should be dismissed.

*A Morrison*

APPEAL PLANNING OFFICER

**Inspector's Decision**

25. I have considered all the submitted evidence and my representative's report and on that basis the appeal is dismissed.

*N Bowden*

INSPECTOR



## Appeal Decision

Site visit made on 24 February 2026

by **C Harding BA (Hons) PGCert PGDip MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 10 April 2026

### Appeal Ref: 6001409

#### East End Farm, East End, Egton, Whitby, North Yorkshire YO21 1UF

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission under section 73 of the Town and Country Planning Act 1990 (as amended) for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Mr and Mrs Jewell against the decision of North York Moors National Park Authority.
- The application Ref is NYM/2025/0413.
- The application sought planning permission for *“Demolition of side extensions, construction of replacement single storey side extensions to create additional accommodation, construction of single storey rear extension with flue and siting of shepherds hut, potting shed, greenhouse for domestic purposes and siting of oil tank to side of dwelling, together with creation of pond (part retrospective)”* without complying with a condition attached to planning permission Ref NYM/2023/0550, dated 23 May 2024.
- The condition in dispute is No 2 which states that: *“The development hereby permitted shall be carried out in accordance with the following approved plans:*

<i>Document Description</i>	<i>Document No.</i>	<i>Date Received</i>
<i>Amended Location Plan</i>	<i>N/A</i>	<i>17 May 2024</i>
<i>Amended Plans &amp; Elevations</i>	<i>Drwg 02 Rev H</i>	<i>17 May 2024</i>
<i>Domestic Structures</i>	<i>Drwg 04</i>	<i>2 February 2024</i>
<i>Proposed Pond</i>	<i>Drwg 04</i>	<i>2 February 2024”</i>
- The reason given for the condition is: *“For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park. “*

### Decision

- The appeal is allowed and planning permission is granted for demolition of side extensions, construction of replacement single storey side extensions to create additional accommodation, construction of single storey rear extension with flue and siting of shepherds hut, potting shed, greenhouse for domestic purposes and siting of oil tank to side of dwelling, together with creation of pond at East End Farm, Egton, Whitby, North Yorkshire YO21 1UF in accordance with the application Ref NYM/2025/0413, without compliance with condition number 2 previously imposed on planning permission Ref NYM/2023/0550 dated 23 May 2024 and subject to the conditions set out in the attached schedule.

### Background and Main Issue

- The original planning permission<sup>1</sup> was granted at the appeal property in May 2024 for the demolition of side extensions, construction of replacement single storey side extensions to create additional accommodation, construction of single storey

<sup>1</sup> NYM/2023/0550

rear extension with flue and siting of shepherds hut, potting shed, greenhouse for domestic purposes and siting of oil tank to side of dwelling, together with creation of pond, subject amongst others, to a condition requiring adherence with the approved plans ('Condition 2').

3. Although an extension has since been built at the appeal property, this is not reflective of the previously approved plans and an application<sup>2</sup> was submitted in order to vary the approved plans to align with the extension as constructed. This was subsequently refused by the authority.
4. I observed that an extension had been built and appeared to be substantially complete. It also appeared to reflect the plans that are before me. I have therefore considered the appeal on a retrospective basis.
5. The main issue is the effect of the varying Condition 2 upon the character and appearance of the area, including the North York Moors National Park. ('the NP').

### **Reasons**

6. As the appeal site is located within the NP, I am mindful of the duty to seek to further the purposes of the NP, which includes conserving its natural beauty and cultural heritage. National Planning Policy Framework ('Framework') paragraph 189 states that NPs have the highest status of protection, and that great weight should be given to conserving and enhancing their landscape and scenic beauty. The NP is characterised, amongst other things, by the variety and quality of its landscapes, the distinctive character of its settlements and the way in which these factors interact.
7. The appeal property is a detached stone-built dwelling located within a collection of larger agricultural style sheds, collectively known as East End Farm, and set back from the closest road. Egton itself is located beyond the crest of rising land to the west. There is little, if any, intervisibility between the village core and the appeal property, and falling land provides extensive open vistas to the east, over the River Esk, and towards the coast. The closest neighbouring properties include detached dwellings to the south and a collection of sheds within a field to the north.
8. The originally approved side extension was designed such, that although of open-plan interior, it would externally have a split height, resulting in the appearance of two side projections stepping down from each other, as well as the host property.
9. The extensions as constructed are larger than those originally approved and include an increase in width of the largest element of the side extension element, an increase in the depth of the kitchen, the increase in height of the largest element, and a monopitch roof of steeper pitch over the proposed kitchen rear projection. However, the design premise, in terms of managing the bulk and volume of the extensions remains, in that it externally appears as two elements stepping down in height from one another.
10. The scheme before me is less subservient to the host property than that previously approved, nevertheless in terms of height it remains below the ridgeline of the house and is set back from the front elevation. In terms of width, it is comparable to, if not slightly larger than, the main element of the house. However, as elements

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<sup>2</sup> NYM/2025/0413

within the extension have some subservience between themselves in terms of both height and set-back, the scheme does not appear as excessively bulky or unacceptably challenge the main house in visual terms. The overall footprint would only be moderately larger than that previously approved.

11. It is stated that as the extension is set at a slightly lower ground level than the existing dwelling, that it fails to remain subservient to it in absolute terms due to its height. However, in order to consider any potential for harm, it is necessary to consider the composition of the host property and the extension together and within the context of each other, rather than simply consider absolute measurements in isolation. Ultimately, in considering the level of subservience of the scheme, that the fact it has a lower roof line and is set back from the main house, means that when viewed together, it appears as being a secondary element to the clearly legible original dwelling.
12. On this basis, when taken as a whole, the scheme as built, broadly aligns with the advice set out within Section 3.1 of the North York Moors Design Guide Supplementary Planning Document ('SPD').
13. Moreover, the comparative size of the addition is only readily evident from views from the front or rear of the appeal property. Large sheds substantially screen the appeal property from the closest road, and even if these could be removed in the future, the orientation of the appeal property perpendicular to the road and the distance at which it is located, means that any views would be oblique in any event. From the rear, views of the appeal property are filtered by existing woodland and a further existing shed. Overall, the extended property is not prominent in these views, and it is not easy to appreciate the full extent of the scheme except in specific close-range views.
14. The appeal property is likely to be more visible when viewed across lower open countryside to the east. However, such views would be predominantly towards the gable end of the house and potentially from a substantial distance and the appeal property would be viewed in the context of the large sheds to which it is closely related. In any case, my attention has not been drawn to any specific views within which the scale of the resultant building appears harmful.
15. In terms of overall design, the increased height of the larger element of the side extension means that there is a large expanse of stonework without any fenestration. This is a natural result of the extension providing ground floor level accommodation only, negating the need or practical purpose for an upper-level window. However, such an arrangement is not unusual at farmhouses or other rural dwellings where storage buildings may adjoin houses, and I saw myself that another property in the immediate locality incorporates a side projection element with a similarly restricted level of fenestration and a comparable level of subservience in terms of height and set-back. Overall, I have no reason to conclude that this design approach would be unacceptably harmful to the character of the area of the wider NP.
16. Bringing these strands together, I conclude that the scheme is not harmful to the character and appearance of the area, including the NP. In doing so, it accords with Strategic Policy C and Policy CO17 of the North York Moors Local Plan, as well as the SPD. Together, and among other factors, these policies require that developments and domestic extensions are of a high quality of design, take

account of the character of the area, the special qualities of the NP, and they do not detract from the scale, height, form and position of the original dwelling, or its setting in the landscape.

### **Other Matters**

17. A third party has made a number of comments in relation to the appeal. While the scheme may have been carried out other than in accordance with the originally approved plans, I have considered the appeal only on the planning merits of the revised scheme, and not on the basis of the status of the building works carried out so far. Equally, the sequence of events that may have occurred between the appellant and the Authority is also not a factor which is determinative in my decision.
18. It is stated that the structural engineering report fails to provide adequate justification for the revised scheme. However, I have considered the revised scheme on its design merits, and while any structural engineering issues may, or may not, have had a bearing on the nature of the proposal before me and provide a degree of context, there is no requirement for the design before to be justified in such terms. This is also a non-determinative factor in my decision.

### **Conditions**

19. In allowing this appeal, a new planning permission is created. Planning Practice Guidance advises, that for clarity, decision notices for the grant of permission under Section 73 of the Town and Country Planning Act 1990 (as amended) should restate conditions imposed on earlier permissions that continue to have effect, unless that have already been discharged.
20. The original planning permission included a number of conditions, and I understand that Conditions 7 (fenestration), 8 (rooflights) and 18 (biodiversity enhancement') were approved in October 2024. However, the approved details are not before me, nor is it clear whether they have been incorporated into the revised scheme. I have therefore reattached these conditions.
21. I have not been provided with any information in relation to the status of any of the other conditions imposed on the original planning permission. I shall, therefore, impose all those that I consider remain relevant. In the event that some have in fact been discharged, that is a matter which can be addressed by the parties. I have also amended condition wording, where relevant to take account of the fact that the development has commenced and appeared, at the time of my visit, to be substantially complete. The condition relating to the time period to commence development is not required, as this has already taken place.

### **Conclusion**

22. For the reasons given above, I conclude that the appeal should be allowed and a new planning permission is granted with the original condition No 2 replaced by a new condition that incorporates the amended plans, retaining and where necessary, amending the non-disputed conditions from the previous permission that appear still to be relevant.

*C Harding*

INSPECTOR

**\*\*\*SCHEDULE OF CONDITIONS\*\*\***

1. The development hereby permitted shall be carried out in accordance with the following approved plans: Amended Location Plan, Amended Plans & Elevations Drwg 10, Domestic Structures Drwg 04, Proposed Pond Drwg 04.
2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H; Schedule 2, Part 2, Classes A to F and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
3. The shepherds hut hereby approved shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the shepherd's hut hereby permitted to form overnight accommodation.
4. The potting shed, greenhouse and chicken coop shall be used for domestic purposes incidental to the occupation of the main dwelling on the site and for no other purpose. There shall be no alteration or conversion of the structures hereby permitted to permanent residential accommodation.
5. All new external materials used in the development hereby permitted shall match that of the existing building including the colour and texture and finish and where these include stone and/or brick, the method of coursing and pointing in the local tradition.
6. Within three months of the date of this permission, detailed plans of fenestration elements showing the constructional details and external appearance of all external elements, including frames and glazing, shall be submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. The details submitted shall include the proposed colour of the windows and doors (and frames). Within six months of the date of the approval of details, all fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7. Within three months of the date of this permission, full details of rooflights used in the development will have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and within six months of the approval of details, shall be installed in accordance with these approved details and maintained in that condition in perpetuity.
8. External trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter.

9. All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.
10. All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
11. The external surface of the roof of the potting shed and shepherds hut hereby permitted shall be coloured dark grey or black within six months of the date of this decision and shall be maintained in that condition in perpetuity.
12. The external timber cladding and timber structural frame of the potting shed hereby approved shall be stained dark brown within six months of the date of this approval and maintained as such in perpetuity.
13. The exterior of the shepherds hut hereby approved shall be painted or stained a dark colour within six months of the date of this decision and maintained as such in perpetuity.
14. No first floor or mezzanine shall be constructed within the extension hereby permitted.
15. The pond hereby approved shall not be used for any commercial purpose, including any sporting or shooting activities. No supplementary feeding (for example of ducks and gamebirds) shall be carried out within or around the edges of the wildlife pond hereby permitted, and there shall be no introduction of fish or ducks to the pond in order to ensure that the ecological value of the pond is maximised.
16. There must be no access or egress by any vehicles between the highway and the application site at East End farm until splays are provided giving clear visibility of 45 metres measured along both channel lines of the major road from a point measured 2.4 metres down the centre line of the access road. In measuring the splays, the eye height must be 1.05 metres and the object height must be 1.05 metres. Once created, these visibility splays must be maintained clear of any obstruction and retained for their intended purpose at all times.
17. Within three months of the date of this permission details of biodiversity enhancements, such as bat/bird boxes shall be submitted and agreed in writing by the Local Planning Authority. Thereafter the agreed details shall be implemented within six months of the approval of details and maintained as such in perpetuity.

**\*\*\*END OF SCHEDULE OF CONDITIONS\*\*\***

## Appendix C

### List of applications determined by the Director of Planning in accordance with the scheme of delegation for the period of 24 February 2026 to 28 April 2026

Please note that the decision notice for each of the Authority's applications listed in this report can be found by clicking on the application reference number.

#### North Yorkshire Council (Ham)

NYM/2025/0456, verification check of conditions 4, 5, 6, 7, 8 and 11 of planning approval NYM/2023/0175 at Woodbine Cottage, Kilburn

Allowed 30/03/2026

NYM/2026/0052, conversion of agricultural building to form holiday let (revised scheme following withdrawal of NYM/2025/0585), Scencliff Grange, Coxwold

Approved 27/03/2026

NYM/2026/0065, construction of new farm access and track to link to existing track and closure of existing substandard farm access, Thimbleby Grange, Thimbleby

Approved 27/03/2026

NYM/2026/0069, improvements to existing (permissive) footpaths including surfacing, realignments, surface water drains and path restoration together with installation of interpretation panels. Paths To South East And West Leading To The Summit Of Roseberry Topping, Near Newton Under Roseberry

Approved 23/04/2026

NYM/2026/0116, installation of accessibility railings to front entrance, Hambleton House, 8 West End, Osmotherely, DL6 3aa

Approved 08/04/2026

NYM/2026/0120, Listed Building consent for installation of accessibility railings to front entrance, Hambleton House, 8 West End, Osmotherely, DL6 3AA

Granted 08/04/2026

NYM/2026/0133, Trees in Conservation Area works consisting of felling Thuja, Cypress, Elder, Holly, Ash, Eucalyptus, Apple, Black elder, Whorlton School Hall, 11a Church Lane, Swainby

No objections 16/04/2026

WTCA/2026/00036, Trees in Conservation Area work consisting of removal of mature cherry tree located in the rear garden., Wakendale, Byland Road, Coxwold

No objections 16/04/2026

WTCA/2026/00068, Trees in Conservation Area works consisting of crown reduction of large willow, Nether Green, River Lane, High Kilburn

No objection 22/04/2026

### **North Yorkshire Council (Rye)**

NYM/2026/0075, Non material amendment to planning approval NYM/2025/0127 to allow alterations to internal layout, doors and fenestration including additional rooflights, together with construction of raised platform for air source heat pump at Low Pasture House, Byland Abbey for Susanne Guthrie

Approved on 24/02/2026

NYM/2025/0808, Installation of replacement and new play equipment at Play Area, Sportsfield, Baxtons Sprunt, Helmsley for Helmsley Town Council

Approved on 25/02/2026

FL/2026/00023, variation of condition 2 (material amendment) of planning approval NYM/2012/0534/FL to allow a change to floor plan, alterations to fenestration and doors together with Yorkshire timber boarding to all elevations of approved stable block, Angram Grange, Main Street, Cold Kirby

Approved 22/04/2026

NYM/2026/0009, construction of side and rear extensions, alterations to car port to facilitate use as additional living accommodation, construction of gabion retaining wall and creation of patio and parking areas, Former Stape Inn, Keys Beck Road, Stape

Approved 10/03/2026

NYM/2026/0027, change of use of existing storage building to form a Padel court, Golden Square Caravan Park, Oswaldkirk

Approved 13/03/2026

NYM/2026/0034, installation of air source heat pump and roof mounted solar array (20 panels), Dale Town, Peak Scar Road, Hawnby

Approved 09/04/2026

NYM/2026/0037, Listed Building consent for installation of air source heat pump, Dale Town, Peak Scar Road, Hawnby

Granted 09/04/2026

NYM/2026/0040, Listed Building consent for installation of safety gate to the foot and safety screen to the top of the staircase, The Hall Residential Home, Church Hill, Thornton-Le-Dale

Granted 27/03/2026

NYM/2026/0043, verification check of condition seven of planning approval NYM/2024/0861, Meadow Croft, Hawnby

Allowed 25/03/2026

NYM/2026/0050, Work to tree protected by TPO - Reduce upper canopy of lime tree on hedge boundary, TPO 2014/2 - T8, 12 Linkfoot Close, Helmsley

No objections 16/04/2026

NYM/2026/0071, change of use of rear parking area to ancillary outdoor seating area to serve cafe together with construction of retaining wall, erection of pergola and part demolition of outbuilding to form 1no. parking space at rear, Cafe Bouchere, Maltongate, Thornton Le Dale

Approved 08/04/2026

NYM/2026/0075, non material amendment to planning approval NYM/2025/0127 to allow alterations to internal layout, doors and fenestration including additional rooflights, together with construction of raised platform for air source heat pump, Low Pasture House, Byland Abbey

Approved 24/02/2026

NYM/2026/0084, erection of general purpose agricultural storage building, Prospect Farm, Main Street, Gillamoor

Approved 14/04/2026

NYM/2026/0111, Trees in Conservation Area works consisting of pruning Sycamore, Foxglove Cottage, 25 High Street, Helmsley

No objections 01/04/2026

NYM/2026/0112, Trees in Conservation Area works consisting of felling large fir tree in rear garden, Bluebell Cottage, High Street, Lockton

No objections 15/04/2026

NYM/2026/0118, installation of uPVC French doors in place of existing window and erection of summer house, Hill View, Pickering Road, Thornton Le Dale

Approved 16/04/2026

NYM/2026/0128, non material amendment to planning approval NYM/2020/0505/FL to allow an increase in porch wall height, 54 High Street, Helmsley

Approved 18/03/2026

NYM/2026/0129, erection of agricultural storage building (mill and mixing feed store), South View, Yatts Road, Pickering

Approved 24/04/2026

HP/2026/00018, removal of boundary fencing and construction of replacement stone wall including door to rear (part retrospective), 24 Castlegate, Helmsley

Approved 23/04/2026

HC/2026/00040, variation of condition 4 to remove the word 'alterations' and removal of condition 8 of planning approval NYM/2005/0498/FL to allow the installation of uPVC windows and doors, Garden House, Main Street, Oldstead

Withdrawn on 22/03/2026

NM/2026/00055, non material amendment to planning approval NYM/2025/0464 to allow amendment to design of oak posts supporting approved canopy to east elevation, Bank Farm House, Rosedale Chimney Bank, Rosedale Abbey

Approved 15/04/2026

CVC/2026/00037, verification check of condition 4 of Listed Building consent NYM/2025/0198, 33 Bondgate, Helmsley

Allowed 27/03/2026

### **North Yorkshire Council (Sca)**

NYM/2025/0765, erection of two cricket practice cages at The Sports Field, Middlewood Lane, Fylingthorpe for Fylingdales F and C Club

Approved 25/02/2026

NYM/2025/0459, removal of decking and construction of single storey rear extension with raised patio to annexe, Hare Slack Farm, Station Road, Castleton

Approved 20/03/2026

CVC/2026/00050, verification check of condition four of planning approval  
NYM/2007/0082 to confirm compliance with local occupancy restriction, Dale View,  
Glaisdale

Allowed 26/03/2026

CVC/2026/00042, verification check of conditions seven and ten of planning approvals  
NYM/2023/0523 and NYM/2024/0205, The Lilacs, Scar Lane, West Barnby

Allowed 27/03/2026

NYM/2025/0583, use of land to the west as caravan site allowing for the relocation of  
45 previously approved units (15 permanently sited units and 30 touring pitches) and  
two additional touring pitches, construction of internal access road, provision of parking,  
creation, Lady Cross Plantation Caravan Park, Egton Lane To Guisborough Road, Egton

Approved 23/04/2026

NYM/2025/0629, removal of field shelter and use of land (field) for the keeping of  
horses, together with erection of stable building (incorporating field shelter) (part  
retrospective) (revised scheme to NYM/2023/0435), Land North Of Ghyll Brow & Thorn  
Hill View, Glaisdale

Approved 01/04/2026

NYM/2025/0648, change of use of land to form all weather manege to serve school,  
Fyling Hall School, Fylingdales

Approved 20/04/2026

NYM/2025/0723, certificate of lawfulness to confirm that if the extension of the  
footings of the dwellinghouse by 1 metre constitutes permitted development, 1 Priory  
Park, Grosmont

Withheld 02/04/2026

NYM/2025/0729, installation of replacement timber windows and door to front  
elevation, 3 Sunnyside, Robin Hoods Bay

Approved 23/04/2026

NYM/2025/0730, Listed Building consent for installation of replacement windows and  
door to front elevation, 3 Sunnyside, Robin Hoods Bay

Granted 23/04/2026

NYM/2025/0740, installation of seven externally mounted CCTV cameras to existing buildings and ground source heat pump system, Rake Farm, Glaisdale

Approved 27/03/2026

NYM/2025/0766, variation of condition 4 of planning approval NYM/2011/0472/FL to allow dual use of accommodation as either an annexe or holiday let (retrospective), Westlands Farm, Scar Lane, West Barnby

Approved 26/03/2026

NYM/2025/0786, installation of replacement uPVC windows and doors together with replacement sandstone paving to front entrance and stairs, Homeleigh, Dale End, Danby

Approved 24/03/2026

NYM/2025/0804, use of land for the siting of four static caravans for holiday letting purposes in lieu of four camping pods approved under NYM/2014/0218/FL, Northcliffe Holiday Park, Bottoms Lane, High Hawsker

Approved 13/03/2026

NYM/2026/0020, demolition of single storey side extension and rear conservatory and construction of replacement two storey extension with conservatory, Mortar Pit Farm, Sneatonthorpe

Approved 27/03/2026

NYM/2026/0025, variation of condition 15 of planning approvals NYM4/051/0062D and NYML2252/81 (allowed on appeal) to allow an extension of the static caravan holiday season from 28 February in any one year to 10 January in the following year, Staithes Chalet And Caravan Park, 75 Staithes Lane, Staithes

Approved 12/03/2026

NYM/2026/0029, advertisement consent for the display of one non-illuminated fascia sign, Greenhills Farm, Scar Lane, West Barnby, YO21 3SD

Granted 02/04/2026

NYM/2026/0031, Listed Building consent for repair and reinstatement of a section of the east parapet, Mowthorpe Bridge, Mowthorp Road, Scarborough

Granted 27/03/2026

NYM/2026/0044, certificate of lawfulness for use of static caravan known as Mill Lodge as dwellinghouse (incorporating timber extension) in excess of four years, Mill Lodge, Rear Of 50-52 High Street, Hinderwell

Issued 27/03/2026

NYM/2026/0047, verification check of condition eight of planning approval  
NYM/2023/0259, Fox And Hounds, 45 Brook Lane, Ainthorpe

Allowed 27/03/2026

NYM/2026/0049, Listed Building consent for removal of gas boiler from basement and installation of replacement boiler with flue to rear ground floor, Ballina, Silver Street, Robin Hoods Bay

Granted 27/03/2026

NYM/2026/0054, verification check of conditions 6, 9, 13 and 14 of planning approval  
NYM/2025/0305, Morton Close Farm, Green End, Goathland

Allowed 10/03/2026

NYM/2026/0055, certificate of lawfulness for use of land for the siting of a caravan in excess of ten years, Land Off Egton Lane

Issued 24/03/2026

NYM/2026/0057, removal of existing garage and construction of single storey side extension and replacement garage, 3 Cliff Road, Staithes

Approved 20/03/2026

NYM/2026/0061, rendering of three elevations and addition of verge copings to gables, Copper Garth, Sled Gates, Fylingthorpe

Approved 27/03/2026

NYM/2026/0072, erection of garden room, Land Adjacent To Seaview Cottage, Runswick Bay

Approved 21/04/2026

NYM/2026/0073, construction of first floor extension, enlarged dormer window and creation of terrace together with replacement bay window and porch, additional timber porch, rendering and landscaping works, Greystones Farm, Normanby

Approved 01/04/2026

NYM/2026/0086, demolition of existing side extensions, construction of front porch and part single, part two storey wrap around extension to side and rear (revised scheme following refusal of NYM/2025/0545), 5 Seaton Crescent, Staithes

Approved 01/04/2026

NYM/2026/0088, verification check of conditions 21, 22, and 24 of planning approval NYM/2023/0319, Adjacent Glebe Cottage, Lealholm Lane, Lealholm

Allowed 09/03/2026

NM/2026/00091, Non material amendment to planning approval NYM/2017/0505/MEIA to amend the development description removing reference to Tocketts Lythe (located outside of the National Park) as development is no longer proposed in this location, Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km<sup>2</sup> of the NYMNP (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal)

Approved 23/04/2026

NYM/2026/0093, change of use from bed & breakfast to dwellinghouse (no external alterations), Saxon Villa, Thorpe Lane, Fylingthorpe

Approved 10/04/2026

NYM/2026/0099, non material amendment to planning approval NYM/2020/0996/FL to allow alterations to approved fenestration and omission of Juliette balcony, Seagrove, Hood Lane, Cloughton

Approved 10/03/2026

NYM/2026/0107, relocation of existing shed and erection of greenhouse, High Thorpe, Church Lane, Fylingthorpe

Approved 20/04/2026

NYM/2026/0109, resurfacing of car park, Fisherhead Farm Car Park, Fisherhead, Robin Hoods Bay, YO22 4ST

Approved 09/04/2026

NYM/2026/0113, construction of replacement building for domestic garaging and storage purposes, Rear Of 27 High Street, Castleton

Approved 20/04/2026

NYM/2026/0121, verification check of condition three of Listed Building consent NYM/2025/0267, Grosmont Bridge, Front Street, Grosmont

Allowed 17/03/2026

NYM/2026/0124, use of land for the siting of two shepherds huts for holiday letting purposes in lieu of caravans approved under application NYM/2011/0183/CU, with associated decking areas, hot tubs and landscaping works (retrospective), Camp Site Adjacent To Murk Esk Cottage, Goathland

Approved 14/04/2026

NYM/2026/0126, change of use of bakery (kitchen and conservatory) to residential use associated with existing dwellinghouse (no external alterations), 3 Railway Cottages, Glaisdale

Approved 14/04/2026

NYM/2026/0131, construction of replacement timber front porch, removal of rear conservatory and construction of replacement oak conservatory, alterations to existing rear extensions including insertion of windows and alterations to roof height, 11 Mill Lane, Iburndale

Approved 16/04/2026

HC/2026/00044, Prior notification for erection of agricultural storage building (not livestock, slurry or sewage sludge) under Part 6, Longstone Farm, Mickleby Lane To Dale Beck Ford, Ugthorpe

Withdrawn on 07/04/2026

CVC/2026/00060, verification check of conditions 4 & 5 of planning approval NYM/2025/0542, Dale Farm, Main Street, Hutton Buscel Scarborough

Allowed 17/04/2026

CVC/2026/00063, verification check of condition 10 of planning approval NYM/2019/0477, Bothams Of Whitby, Enterprise Way, Whitby

Allowed 24/04/2026

WTCA/2026/00044, Trees in Conservation Area works consisting of reducing crown of

two Silver birch , felling one Silver birch, one South View, High Street To Egton Cliff, Egton Whitby

No objections 16/04/2026

WTCA/2026/00066, Trees in Conservation Area works consisting of crown lifting five Sycamore, 19-20 Sunnyside, Castle Close, Castleton Whitby

No objections 16 04 2026

WTCA/2026/00069, Trees in Conservation Area worka consisting of felling apple tree to rear of property, Rockley Cottage, Broom House Lane, Egton Bridge

No objections 16 04 2026

WTCA/2026/00083, Trees in Conservation Area works consisting of removal of crown and reduction of stem to Ash , The Common, War Memorial To Hunt House Road, Goathland

No objections 22 04 2026

### **Redcar and Cleveland**

NYM/2026/0025, variation of condition 15 of planning approvals NYM4/051/0062D and NYML2252/81 (allowed on appeal) to allow an extension of the static caravan holiday season from 28 February in any one year to 10 January in the following year, Staithes Chalet And Caravan Park, 75 Staithes Lane, Staithes

Approved 12/03/2026

NYM/2026/0069, improvements to existing (permissive) footpaths including surfacing, realignments, surface water drains and path restoration together with installation of interpretation panels, Paths To South East And West Leading To The Summit Of Roseberry Topping, Near Newton Under Roseberry

Approved 23/04/2026

WTCA/2026/00070, Trees in Conservation Area works consisting of felling cherry; pruning 3 silver birch, The Smithy, Home Farm, Hutton Village Road, Guisborough

No objections 16/04/2026

CVC/2026/00089, verification check of conditions seven, eight, and nine of planning approval NYM/2025/0791, Land South Of Lodge Farm, Cow Close Lane, Moorsholm

Allowed 24/04/2026

NM/2026/00091, Non material amendment to planning approval NYM/2017/0505/MEIA to amend the development description removing reference to Tocketts Lythe (located outside of the National Park) as development is no longer proposed in this location, Land at Woodsmith Mine (formerly Doves Nest Farm & Haxby Plantation), Sneatonthorpe (minehead); underneath 252 km<sup>2</sup> of the NYMNPA (winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton Complex (mineral transport system); Ladycross Plantation near Egton, Lockwood Beck Farm near Moorsholm, (intermediate shaft sites); site within the eastern limits of the Wilton Complex, Teeside (tunnel portal)

Approved 23/04/2026

**Notifications under Schedule 2, of The Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order)**

**North Yorkshire Council (Ham)**

NYM/2026/0019, prior approval for erection of general purpose agricultural storage and livestock building under Part 6, Low Farm, Kildale

Approved 25/03/2026

**North Yorkshire Council (Rye)**

NYM/2026/0081, prior notification for creation of passing place for forestry purposes under Part 6 at Scot Ridge located east of Former School House, Bransdale for Forestry England

No prior approval required on 25/02/2026

AGR/2026/00019, prior notification for erection of storage building for forestry purposes under Part 6, Land To The North Of The Sawmill, Scawton

No prior approval required 10/03/2026

NYM/2026/0081, prior notification for creation of passing place for forestry purposes under Part 6, Scot Ridge Located East Of Former School House

No prior approval required 25/02/2026

AGR/2026/00119, prior notification for erection of agricultural storage building (no livestock, slurry or sewage-sludge) under Part 6, Taylor Hill Farm, Stape Road, Stape

No prior approval required 22/04/2026

AGRP/2026/00120, prior notification for construction of road for forestry purposes under Part 6, Street Record, Beckdale Wood, West Of Baxtons Road, Helmsley

No prior approval required 22/04/2026

NYM/2026/0066, prior approval for erection of replacement 22.5 metre monopole mast with antenna apertures together with upgrading works within existing equipment cabin and development ancillary thereto under Part 16, Highfield Grange, Greengate Lane, Thornton Le Dale

Approved 26/03/2026

CLNS/2026/00022, Notification of installation of 2 no. cattle grids and adjacent bypass gates under Part 19, Near Levisham Station And Kidstyle Farm

Decided 12/03/2026

CLNS/2026/00024, Notification of installation of 2 no. Kazuba accessible waterless toilet pods under Part 19, Dixons Hollow Car Park, Dalby Forest

Decided 13/03/2026

### **North Yorkshire Council (Sca)**

PNTC/2026/00137, Notification of intended use of land as a recreational campsite for not more than 60 days, Zion Farm, Wardle Rigg, Stape

No objections 28-04-26

NYM/2025/0612, prior approval for the erection of a general purpose agricultural building under Part 6. Leith Rigg, Thorn Key Howes, Fylingdales

Approved 01/04/2026

NYM/2025/0745, prior approval for erection of general purpose agricultural plant and machinery storage shed under Part 6 at Hollins Farm, Eskdaleside, Grosmont for Mr D Stuart

Approved on 25/02/2026

NYM/2026/0018, prior approval for erection of roof over existing livestock collecting yard under Part 6 at High Tranmire Farm, Tranmire for FP and IM Jefferson

Approved on 27/02/2026

NYM/2026/0033, prior approval for erection of agricultural storage building (no livestock/sewage/slurry-sludge) under Part 6, Spring House Farm, Gowland Lane, Cloughton

Approved 12/03/2026

NYM/2026/0035, prior approval for erection of agricultural storage building (no livestock/sewage/slurry-sludge) under Part 6, Land At Wrench Green, Hackness, Scarborough

Refused 16/03/2026

NYM/2026/0036, prior approval for erection of agricultural storage building (no livestock/sewage/slurry-sludge) under Part 6, Broxa Farm, Broxa Hill, Broxa

Approved 11/03/2026

NYM/2026/0068, prior notification for erection of cover over existing livestock feed area under Part 6 at Butter Park Farm, Egton Grange for S J & J E Welford

No prior approval required on 25/02/2026

PNTC/2026/00079, Notification of intended use of land as a recreational campsite for not more than 60 days, All Saints Church, Main Road, Wykeham

Decided 07/04/2026

### **Redcar and Cleveland**

CLNS/2026/00088, Notification of installation of 1 no. Twinfix open sided canopy shelter under Part 19, Guisborough Forest, Near Guisborough Forestand Walkway Visitors Centre, A173 Windlebridge To Newton Under Roseberry, Guisborough

Decided 09/04/2026

### **Post committee applications determined by the Director of Planning on expiry of advertisement, receipt of further amended plans and observations**

None

### **Applications adjacent to the National Park (3024)**

**Application reference:** ZE26/00027/PREAPP, for the construction of 1no dwelling at The Hideout, Allerston.

The Authority has assessed the details and has raised no objections.

**Application reference:** ZB26/00307/FUL, for double height gable (side) extension to existing dwelling at Trenear Garth, Kilburn.

The Authority has assessed the details and raised no objections providing a condition be included requiring Dark Sky compliant external lighting.

**Application reference:** 26/00659/FUL, for the erection of a single storey shed for maintenance and repair of boats used for hire at Ruswarp Pleasure Boats, The Carrs, Ruswarp.

The Authority has assessed the details of the proposed development and raised no objections providing a condition is included requiring Dark Sky compliant external lighting.

**Application reference:** ZB26/00444/MRS, for the removal or Variation of Condition 2 to previously approved application ZB24/02288/FUL (Application to replace two existing agricultural barns with a dwelling with associated amenities at Grove Farm, Road from Easby to Copper Hill Farm, Easby.

The Authority has assessed the details and raised no objections.

## Appendix D

### List of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation for the period of 24 February 2026 to 28 April 2026

Reference number	Development description and site address	Decision taken
21126	Potential non compliance of planning approval NYM/2023/0550 at East End Farm, Egton	Retrospective planning application approved NYM/2025/0413 on appeal.

### Enforcement Notices served

Reference number	Development description and site address	Decision taken
NYM0004/2026	Unauthorised gate and fencing at The Old Post Office, Harwood Dale	Enforcement Notice Served 12-04-26
NYM0013/2024	Unauthorised formation of gravel hardstanding at Mount Pleasant, Egton	Enforcement Notice Served 25-02-26
NYM0002/2026	Unauthorised construction of shed for residential purposes at Hinderwell Port, Hinderwell	Enforcement Notice Served 09-03-26
NYM0038/2024	Unauthorised siting of shipping containers and portacabins at land along Hodgson Hill, Cloughton	Enforcement Notice Served on 09-03-26

## **Item 9, List of planning applications together with the Director of Planning's recommendations**

The time period for responses to consultations/publicity carried out on individual applications may not have expired before the given closing date for such responses to be reported to the committee meeting. Any responses received within the various specified consultation periods but not reported to the meeting will be taken into account. If such responses are contrary to the Committee's resolution and raise new matters the application will be presented for reconsideration by the Committee at a future meeting.

The background papers taken into account when considering planning applications on this list include all or some of the following items. Items 1 to 4 are included on the file for each individual application.

1. Application: includes, the application form, certificates under Section 65 of the Town and Country Planning Act 1990, plans, and any further supporting information submitted with the application.
2. Further correspondence with applicant, including any amendments to the application: includes any letters to the applicant/agent with respect to the application and any further correspondence submitted by the applicant/agent together with any revised details and/or plans.
3. Letters from Statutory Bodies – includes any relevant letters to and from the District Councils, Parish Councils, Departments of North Yorkshire County Council, Water Authorities and other public bodies and societies.
4. Letters from Private Individuals – includes any relevant letters to and from members of the public with respect to the application.
5. Statutory Plans and Informal Policy Documents – some or all of the following documents will comprise general background papers taken into account in considering planning applications in the National Park. The Plans listed under (b), (c) and (d) comprise the Development Plan which forms the basis for determining planning applications

### **Statutory Plans:**

- a) North York Moors National Park Management Plan – December 2016
- b) North York Moors Local Plan Adopted July 2020
- c) Helmsley Local Plan – July 2015
- d) Whitby Business Park Area Action Plan (2014) and Design Brief (2016)

**Supplementary Planning Documents (SPD):**

- e) Renewable Energy SPD (April 2010)
- f) Design Guide SPD
- g) Osmotherley and Thimbleby Village Design Statement SPD (2011)
- h) Ampleforth Conservation Area Appraisal & Management Plan SPD
- i) Oswaldkirk Conservation Area Appraisal & Management Plan SPD (2011)
- j) Hutton Buscel Village Design Statement (2010)

# North York Moors National Park Authority

## Plans list item 1

### Planning Committee Report

**Application reference number:** NYM/2024/0877

**Development description:** demolition of a twin garage and construction of one principal residence dwelling with parking, amenity space, and landscaping works together with construction of replacement garage for Thorpe Cottage

**Site address:** Thorpe Cottage, Chestnut Avenue, Thornton-le-Dale

**Parish:** Thornton Le Dale

**Case officer:** Emily Jackson

**Applicant:** Sudbury-Tell, Radulovic & Sudbury

**Agent:** Mr Patrick Cuddy

### Director of Planning's Recommendation

Approval subject to the following:

#### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Date Received
Location Plan		19 December 2024
Proposed Site Plan & Garage Elevations	PL_001_B	26 January 2026
Proposed Floor Plans	PL_002_B	26 January 2026
Proposed & Existing Elevations: Sheet 1	PL_003_B	26 January 2026
Proposed & Existing Elevations: Sheet 2	PL_004_B	26 January 2026
Proposed Sketch Perspectives & Sectional Elevation	PL_005_B	26 January 2026

- 3 The application property hereby permitted, shall be used as a principal residential dwelling (Class C3) and for no other purpose including any other use in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The property shall be the only or principal home of the main occupant, and it shall be occupied by the main occupant for at least 80% of the calendar year in the event that the main occupant occupies more than one property. The property shall not be occupied by the main occupant as a second home. The occupants shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority

may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the property shall not be used as a single unit of holiday letting accommodation.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H; Schedule 2, Part 2, Classes A to F and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
- 5 The garage building hereby permitted shall be used for domestic storage incidental to the occupation of Thorpe Cottage and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to permanent residential or overnight accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
- 6 No work shall commence on the construction of the walls hereby approved until a sample of the materials to be used in the construction of the external surfaces shall have been prepared on site for inspection and approved in writing by the Local Planning Authority. A sample panel showing the construction materials shall be at least 1 metre x 1 metre and show the proposed material, coursing, jointing, method of tooling (if necessary), bond, mortar, pointing technique. A palette of other materials to be used in the development (including roofing, water tabling, new lintels, and cills, cladding and render if necessary) shall also be made available. The development shall be constructed in accordance with the approved sample(s), which shall not be removed from the site until completion of the development.
- 7 Prior to the development being brought into use full details of the hard surfacing to be utilised on the site shall be submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard surfacing works shall then be implemented in accordance with the approved details. The hard landscaping shall be maintained in that condition in perpetuity.
- 8 No work shall commence on the installation of any fenestration element in the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, including frames and glazing, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 9 The external face of the frame to all new windows shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity.
- 10 No external trickle vents other than concealed trickle vent shall be incorporated into any new windows hereby approved and shall not be installed thereafter

- 11 The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes located within the mortar joint with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity.
- 12 All rainwater and foul water goods shall be painted metal in black or a colour to be agreed in writing by the Local Planning Authority and thereafter be so maintained in that condition in perpetuity
- 13 No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Skies compliant and no other lighting shall be installed on the site. All lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
- 14 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 15 No work shall commence to clear the site in preparation for the development hereby permitted until the results of further bat emergence surveys as required by the Preliminary Bat Roost Assessment (Vale Ecology, January 2025) have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the details so approved.
- 16 Development may not be begun unless:
1. A biodiversity gain plan has been submitted to the Local Planning Authority, and
  2. The Local Planning Authority has approved the plan.
- 17 No development shall commence until a Habitat Management and Monitoring Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Habitat Management and Monitoring Plan should include the following:
- a. A copy of the completed biodiversity metric.
  - b. Description and evaluation of the habitats to be retained, enhanced and/or created onsite.
  - c. Detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric.
  - d. Preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years.
  - e. Details of the persons or organisation responsible for implementation of the plan.
  - f. Details of the proposed habitat monitoring and plan review on a five-year cycle
- 18 No demolition/development shall take place until a Written Scheme of Investigation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include an assessment of significance and research questions - and:

- i. the programme and methodology of site investigation and recording;
- ii. the programme for post investigation assessment;
- iii. the provision to be made for analysis of the site investigation and recording;
- iv. the provision to be made for publication and dissemination of the analysis and records of the site investigation;
- v. the provision to be made for archive deposition of the analysis and records of the site investigation;
- vi. the nomination of a competent person or persons/organisation to undertake the works set out within the Written Scheme of Investigation.

- 19 No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 18.
- 20 Prior to installation, an acoustic assessment of the proposed air source heat pump (ASHP) shall be submitted to and approved in writing by the Local Planning Authority. The assessment must demonstrate compliance with the Microgeneration Certification Scheme (MCS) planning standards for noise. The ASHP shall be installed and operated in accordance with the approved details.
- 21 If contamination is found to be present or suspected at any time during the development that was not previously identified all works shall cease and the local planning authority shall be notified in writing immediately. No further works (other than approved remediation measures) shall be undertaken, or the development occupied until an investigation and risk assessment carried out in accordance with the Environment Agency's Land Contamination: Risk Management (LCRM), has been submitted to and approved in writing by the local planning authority. Where remediation is necessary a scheme for the remediation of any contamination shall be submitted and approved by the LPA before any further development occurs. The development shall not be occupied until the approved remediation scheme has been implemented and a verification report detailing all works carried out has been submitted to and approved in writing by the local planning authority. Development on Land Affected by Contamination v12.2 July 2023 (northyorks.gov.uk)
- 22 The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:
- The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E50 and the following requirements.
- Any gates or barriers must be erected a minimum distance of 6.0 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
  - Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed and maintained thereafter to prevent such discharges.
  - The final surfacing of any private access within 6.0 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing

- or proposed public highway.
- Measures to enable vehicles to enter and leave the site in a forward gear (Host site only).
- Measures to prevent the discharge of soil into the existing gully to the north of the site using an angled gully collar (details of which should be provided and agreed in writing with the LHA).

All works must accord with the approved details.

- 23 No part of the development must be brought into use until the access, parking, manoeuvring, and turning areas for all users have been constructed in accordance with the details approved in writing by the Local Planning Authority (Proposed Site Plan & Garage Elevations, Drawing PL\_001 Revision B, Received 26/01/2026). Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 24 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority (Proposed Site Plan & Garage Elevations, Drawing PL\_001 Revision B, Received 26/01/2026). Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
- 25 No development must commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority. Construction of the permitted development must be undertaken in accordance with the approved plan. The Plan must include, but not be limited, to arrangements for the following in respect of each phase of the works:
1. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway;
  2. the parking of contractors' site operatives and visitor's vehicles;
  3. areas for storage of plant and materials used in constructing the development. clear of the highway;
  4. details of site working hours;
  5. contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
- 26 No demolition of the garage shall take place until a method statement detailing the making good and restoration of the gable wall of Shaws Cottage has been submitted to and approved in writing by the Local Planning Authority. All works shall be carried out in line with the approved method statement.

#### Informative(s)

- 1 [New and altered private access or verge crossing – (MHC-03).] Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's website [<https://www.northyorks.gov.uk/roads-parking->

and-travel/roads-and-pavements/road-adoption). The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

- 2 [New and altered private access or verge crossing – (MHC-03).] Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's website [<https://www.northyorks.gov.uk/roads-parking-and-travel/roads-and-pavements/road-adoption>]. The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.
- 3 Other Permissions required from the Local Highway Authority. Applicants are reminded that in addition to securing planning permission other permissions may be required from North Yorkshire County Council as Local Highway Authority. These additional permissions can include but are not limited to: Agreements under Sections 278, 38, and 184 of the Highways Act 1980; Section 38 of the Commons Act 2006, permissions through New Roads and Streetworks Act 1991 and Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996 (as amended and including all instruments, orders, plans, regulations, and directions). Further information on these matters can be obtained from the Local Highway Authority. Other permissions may also be required from third parties. It is the applicant's responsibility to ensure all necessary permissions are in place.
- 4 The submitted plans indicate that suitable provision has been made for external waste and recycling storage. To ensure long-term functionality, the storage area should be capable of accommodating the current waste and recycling arrangements operated by North Yorkshire Council, which now include three separate bins. Applicants are encouraged to confirm that the space is sufficient for this updated scheme to avoid future operational issues.
- 5 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

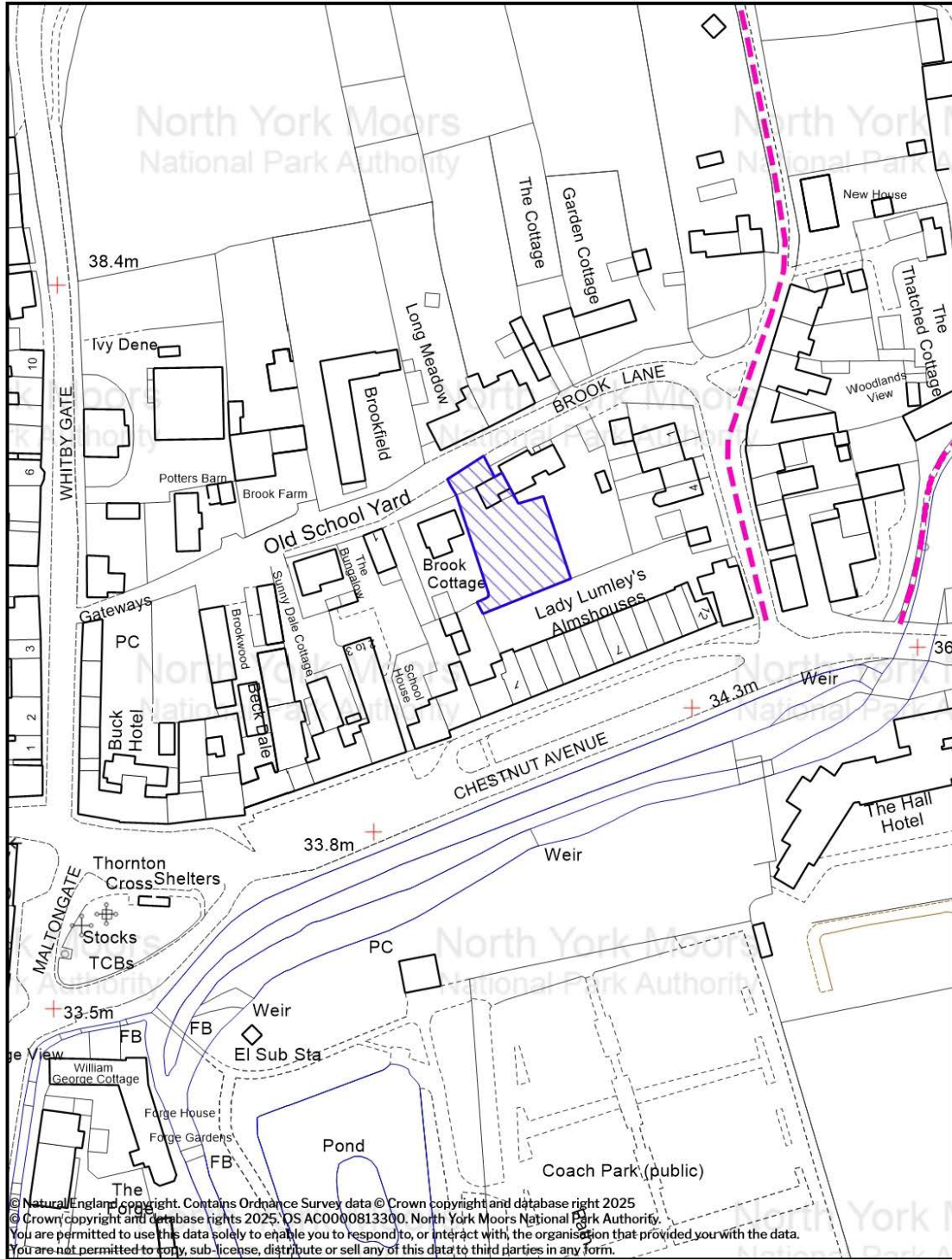
# Map showing application site



**North York Moors  
National Park**

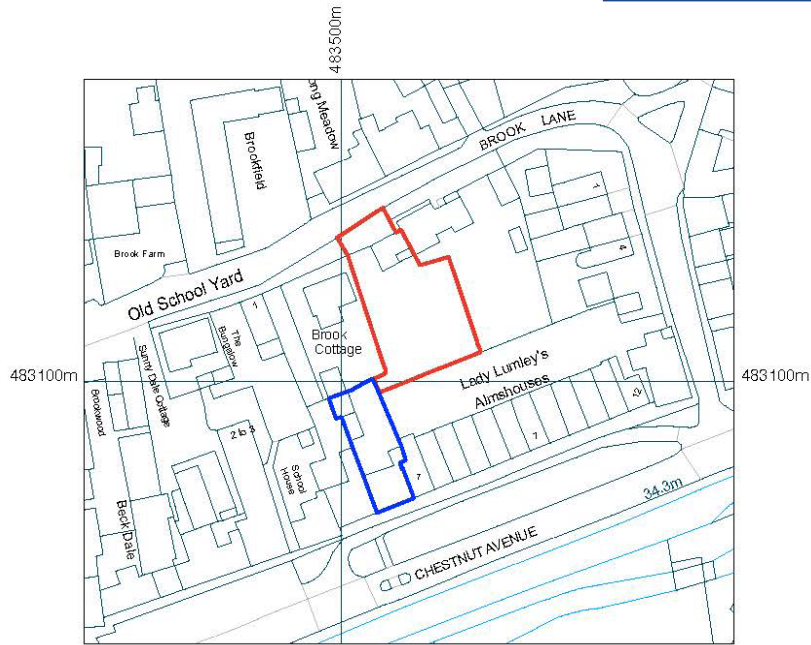
Application Number: NYM/2024/0877

Scale: 1:1250



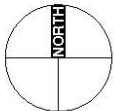
# Site Location Plan

NYMNP  
 19/12/2024



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**SITE LOCATION PLAN** 1:1250



	Drawing	Client	<b>patrick cuddy architect</b> 
	Site Location Plan	Sudbury-Telle, Radulovic, Sudbury	
<small>© Patrick Cuddy Architect Please do not scale from this drawing. If in doubt please ask.</small>	Project	Scale(s)	Sheet size
	Proposed Dwelling Land to rear Thorpe Cottage	1:1250	A4
	Job No.	Date	Drawing No.
	0062	10/2024	EX_001
			Rev
			-

**Photograph looking into site from Brook Lane; double garage presently attached to Shaws Cottage (to left) proposed to be demolished to facilitate construction of 1no. principal residence dwelling**



**Photograph taken from northeastern corner of site looking towards the rear of the Grade II Listed Almshouses**



**Photograph taken from southwestern corner of site (Brook Cottage to left)**



## **Consultation responses**

### **Parish**

05 November (Following amendments) – Object as councillors still find the planning proposals to be inappropriate development and intrusive and wish to record that they remain unanimous in their objection to the development.

16 May 2025 - Object due to the impact of both the visual aspect from the roadside, and the impact of the gable end proximity to the Almshouses, which is a listed building.

### **Highways (LHA)**

30 January 2026 (following amendments to grass over highway verge) – Recommends conditions: same comments as per previous consultation response, but add that the LHA has no issues with the grassing over of the verge in principle however due to the presence of a drain/gully, a gully apron should be provided surrounding the grate to prevent soil entering the gully from the grassed area.

27 November 2025 (Following amendments) – Recommended conditions: It has been demonstrated that vehicles are able to turn within the new development to ensure that they are able to enter and exit the highway in a forward gear, some of these turning manoeuvres do require some “shuffling” which is not ideal, however, the number of movements is considered low and acceptable. The relatively low increase in vehicle movements to and from the site once completed is unlikely to result in a detriment to highway safety.

05 June 2025 – Amendments required. The driveway entrance needs to be splayed to ease access. The single gated access is barely the width of a parking space with no room for error. Tracking would be required to show how all vehicles can enter and leave in a forward gear. Manoeuvring backwards out of the garage would be extremely difficult. The measured length for the right-hand parking space to accommodate two cars needs to be 11m. To meet the car working space requirements based on the Residential Highway Design Guide, an additional one metre width would be required to safely enable a car door to open.

### **Environmental Health**

23 October 2025 – Environmental: Recommends conditions relating to Air Source Heat Pump and Lighting to protect neighbouring amenity.

21 October 2025 – Scientific Team: Recommends contaminated land condition. The plot of land has historically been connected to a hospital, a school and is currently a garden. Land Utilisation map from 1938 identifies the land as being covered with houses, other buildings, or industrial works.

### **Yorkshire Water**

No comments received.

### **Police – Traffic**

No comments received.

### **Forestry Commission**

No comments received

### **Third party responses**

**G Dickenson, The Ridings, Brook Lane, Thornton-le-Dale**

**Y Eaton, Shaw's Cottage, Brook Lane, Thornton-le-Dale, YO18 7RZ**

**R A and B Batty, Brookfield, Brook Lane, Thornton-le-Dale, YO18 7RZ**

**H Flinton, Brook Cottage, Brook Lane, Thornton le Dale, YO187RZ**

**G Garbutt (As Chairperson: On behalf of The Residents and Trustees) of Lady Lumley's Alms Houses, Old Grammar School, 1-12 Chestnut Avenue, Thornton-le-Dale, YO18 7RZ**

**D and D Andrews, Potters Barn, Brook Lane, Thornton le Dale. YO18 7RZ**

**J Sanderson, Walnut Cottage, Priestman's Lane, Thornton-le-Dale, YO18 7RT**

**J Campbell, Long Meadow, Brook Lane, Thornton-le-Dale, YO18 7RZ**

**A, G and I Baldwin, Kingfisher Cottage, Chestnut Avenue, Thornton-le-Dale, YO18 7RW**

- The above persons object to the application for one or more of the following reasons:
- Harm to the character and appearance of the Conservation Area.
- Harm to the setting of the Grade II listed Lady Lumley's Almshouses.
- Overdevelopment of a constrained, narrow, and irregular site, leading to overbearing impact due to proximity to adjacent homes.
- Excessive height, scale, and massing compared with surrounding cottages and incongruous design not in keeping with historic built form.
- Loss of privacy to neighbouring properties from first-floor windows/overlooking.
- Loss of natural light and overshadowing of nearby dwellings and gardens.
- Significant concerns over highway safety on Brook Lane. Namely, vehicles unable to enter/leave in forward gear, tandem parking impractical and unsafe, increased reversing movements on a narrow lane.
- Increase in traffic, noise, and light disturbance from vehicle movements. Insufficient on-site parking space leading to likely on-street parking.
- Loss of green space, vegetation, and traditional garden character.
- Structural concerns related to demolition of garage walls attached to Shaw's Cottage.
- Concerns about party-wall implications and potential damage during demolition.

- Potential fire-safety issues and impractical layout for EV charging.
- Insufficient space for safe waste storage and future bin requirements.
- Lack of enforceable mechanism to ensure “principal residence” use.
- Fear of precedent for further infill development in a sensitive area.

**Additional comments were received on 23 March 2026 from Mrs H Flinton**, reiterating earlier objections that the proposal would introduce intrusive vehicle activity into a quiet green area immediately adjacent to her home, resulting in significant harm to privacy and residential amenity through noise, vehicle headlights and loss of boundary screening, notwithstanding the availability of less harmful alternative parking arrangements.

### **Consultation expiry**

10 February 2026

## Background

The application site comprises part of the garden located to the rear of Thorpe Cottage, a residential property situated within the centre of the Thornton-le-Dale Conservation Area that fronts onto Chestnut Avenue. Thorpe Cottage is immediately adjoined by two Grade II Listed Buildings to the east and by a row of Grade II listed Almshouses to the west. Vehicular access is currently provided via a double garage and hardstanding positioned at the rear of the property which fronts onto Brook Lane. The existing garage is attached to an adjacent residential property known as Shaws Cottage.

The site has a long planning history, with several approved schemes for residential development that were never implemented. In April 1984 permission was refused for a two-bedroom cottage which was followed by approval of a revised scheme in June 1984. In October 1999, a four-bedroom dwelling was refused, but a smaller three-bedroom proposal was approved the following month. The most recent permission, approved in February 2002, was for a detached dwelling based on the 1999 design with the addition of a conservatory.

The current application now seeks planning permission to demolish the existing double garage serving Thorpe Cottage to facilitate the construction of a three-bedroom principal residence dwelling within the larger area of garden to the northeast of Thorpe Cottage. The scheme also includes the provision of external bin storage, the construction of a replacement single garage to serve Thorpe Cottage and associated hard and soft landscaping.

The proposed dwelling would be constructed using coursed random rubble natural stone under a clay pantile roof with powder coated aluminium framed doors and windows, black rainwater goods, and an area of vertical timber cladding to the eastern elevation. The proposed dwelling would measure approximately 13.1m by 4.4m (5.4m at its widest), with eaves at 4.3m and a ridge height of 6m. The replacement garage would measure 3.7m by 5.8m, with eaves at 2.1m and a ridge height of 3.6m.

## Main issues

This application was brought to Members at the last committee meeting on 26 March 2026 under the current scheme of delegation due to the number of third-party objections received as well as an objection from the Thornton le Dale Parish Council. The application was subsequently deferred for a site visit which took place on 1 May 2026.

## Local Plan

**Strategic Policy A (National Park Purposes)** takes a positive approach to sustainable development where it aligns with National Park statutory purposes. If these purposes conflict, the Sandford Principle applies, giving greater weight to conserving and enhancing the National Park's natural beauty, wildlife, and cultural heritage.

**Strategic Policy B (The Spatial Strategy)** sets out how development will be guided by the settlement hierarchy.

**Strategic Policy C (Design)** supports development only where it maintains and enhances the Park's distinctive character through high-quality design, appropriate materials, complementary siting and form, protection of neighbour amenity, sustainable construction, quality landscaping, biodiversity enhancement, adequate storage and parking, and the creation of safe, secure, and accessible environments.

**Strategic Policy I (Historic Environment)** requires that development affecting the historic environment makes a positive contribution to cultural heritage and distinctiveness by conserving heritage assets and their settings according to their significance, including historic landscapes, archaeology, and vernacular building styles, materials, form, and layout.

**Strategic Policy M (Housing)** seeks to ensure the delivery of new homes to help meet the needs of local communities. The Authority will support proposals for a variety of tenures, types, and sizes of dwellings within the National Park, but schemes will be expected to meet the need for smaller dwellings. It is explained within the supporting text that there is a predominance of larger homes within the existing housing stock in the National Park. At the same time there is a trend towards smaller households and there is also evidence that affordability is a problem.

**Policy C07 (Housing in Larger Villages)** allows principal residence and affordable housing in larger villages only on suitable small sites within the built-up area that provide smaller dwellings, or through conversion of existing buildings within the built-up area that positively contribute to settlement character.

**Policy C02 (Highways)** permits development only where the road network can safely accommodate it, where layouts cater for all users including cyclists, walkers, horse riders, and mobility aid users, and where highway works are minimal and sensitive to local character, heritage, materials, and biodiversity.

**Policy ENV11 (Historic Settlements and Built Heritage)** requires development to conserve the National Park's built heritage by using high-quality, sympathetic design that respects traditional architecture, materials, construction and the historic scale, height, massing, alignment, detailing and finishes of settlements.

### **National Planning Policy**

Section 16, Paragraph 215 of the National Planning Policy Framework 2025 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (e.g. a Conservation Area or Listed Building), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

Sections 16 and 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that special regard shall be had to the desirability of preserving Listed Buildings and their setting or any features of special architectural or historic interest which they possess. Section 72 states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

## **Material considerations**

### **Principle**

The site is considered as a suitable small site within the main built-up area of Thornton le Dale which is a larger village in the National Park. Therefore, under Policy CO8 the construction of a Principal residence dwelling in this location is acceptable on the basis that it meets the needs of a smaller dwelling and that it is of a design that respects the character and form of the settlement.

### **Siting and design**

The proposed development has been informed by detailed pre-application advice provided by the Authority which indicated that the dwelling should have a barn-like form in order to reflect the back-land character of Brook Lane which is defined by a mix of traditional and modern residential properties alongside converted and unconverted barns of varying heights.

Since its submission in April 2025, officers have been engaged in negotiations to amend the scheme so that the dwelling sits more comfortably within the site and to reduce impact upon neighbouring amenity and the surrounding Conservation Area/Listed Buildings. Following negotiations, the dwelling has been reduced in length by 2.3 metres, with both the ridge and eaves heights lowered by 100mm so that the dwelling sits below neighbouring properties. The previously proposed modern flat roof element has been removed and replaced with a two-storey outshot that offers a more utilitarian appearance and replicates the design of a dwelling approved in 2010 further down the lane known as 'Potters Barn'. The scale of the originally proposed double garage has also been reduced to a single garage to lessen the impact upon the setting of the Almshouses.

Further enhancements have been secured as part of the revised scheme, including the grassing over of a section of the highway verge to the north of the proposed dwelling. This measure will help soften the street scene and ensure the development remains in keeping with the established character of Brook Lane, where grassed verges are a defining feature as per the Heritage and Conservation Officers request.

Upon assessment of the amended plans, the proposed dwelling is considered to be of an appropriate design and scale. The dwelling is of a suitable barn-like design which would be in-keeping with the wider vernacular of Brook Lane and would be constructed in traditional materials which are reflective of the Conservation Area. The proposal is for a three-bedroom dwelling which would meet the need for a smaller dwelling required by Policy CO8 and the overall layout of the dwelling and garage building is felt to sit comfortably within the site. In view of the this, the proposed development is considered to accord with the requirements of Strategic Policy C.

### **Loss of historic fabric and impact upon setting of nearby Listed Buildings**

The Authority's Senior Heritage and Conservation Officer (HCO) has advised that because the garage proposed to be removed dates from the mid-19th century, its loss

must be weighed in accordance with Strategic Policy I and Paragraph 215 of the NPPF 2025 which states that less than substantial harm to the Conservation Area should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. The HCO further notes that, should demolition be supported, the replacement building should preserve the established back-lane character.

Although the loss of historic fabric is regrettable, the structure makes only a limited contribution to the street scene and the Conservation Area due to its domestic appearance from the addition of two unsympathetic garage doors. The development proposal seeks to provide a new principal-residence dwelling which would contribute to local housing supply and is felt to be of a high-quality in-keeping design which introduces general landscaping enhancements to the site and wider Conservation Area. These benefits are considered to outweigh the harm arising from the loss of the garage.

Following amendments to reduce the size of the garage, the impacts upon the setting of the Listed Almshouses to the north of the site are considered to be limited. The garage would be subservient in form to the Almshouses, and its reorientated position would still allow views of the Listed Buildings from within the site.

On balance, the proposal is therefore considered to preserve the historic setting of the nearby Listed Buildings and wider Conservation area street scene in line with Paragraph 216 of the NPPF and Sections 16, 66 and 72 of the LB&CA Act 1990.

### **Residential amenity**

Several objections have been received from neighbours, the Parish Council, and the occupiers of the Almshouses, raising concerns regarding the design of the dwelling, overshadowing, overlooking, and increased activity. However, it is not considered that the proposal would result in an unacceptable loss of residential amenity.

The dwelling sits comfortably within the site, and its linear form provides a greater separation from neighbouring properties than that which would be achieved with a more traditional house design. While it is accepted that some overshadowing would arise from the proposal, the separation from neighbouring boundaries would lessen this impact. Brook Cottage would experience minimal morning overshadowing to its western elevation which has no windows, and midday sun would fall to the north, resulting in negligible impact given the distance (12 metres) between properties. Shaws Cottage would experience late-afternoon/early-evening overshadowing at certain times of the year, however this would affect only a part of the rear elevation rather than wider amenity areas such as the garden. Overall, the proposal is not considered to give rise to any unacceptable overshadowing impacts.

There is just one opening proposed on the western elevation facing Brook Cottage. The majority of fenestration is concentrated on the eastern elevation which would face only two windows on the gable end of Shaws Cottage which are staggered in relation to the proposed dwelling's fenestration. Although concerns have been raised regarding the front gable window facing Brook Lane, it is considered to be a sufficient distance away (12 metres) from opposite properties to avoid harmful overlooking, and this relationship

is consistent with the established pattern of development along the street, which is characterised by dwellings facing one another. The reduction in the size of the garage is also considered to mitigate any potential overshadowing impacts on the Almshouses.

Furthermore, the level of occupation and associated vehicular movements arising from a single additional dwelling are typical of an urban residential environment and are not anticipated to materially increase the level of activity already experienced along Brook Lane to an unacceptable level.

There is an existing garage building at the rear of the neighbouring property, Brook Cottage, located in a similar position to that which is proposed to be constructed to serve Thorpe Cottage. As such, the presence of rear garages and associated vehicular movements alongside dwellings already exists within the immediate area. In light of this established context, it is not considered that the provision of an additional garage in this location would give rise to a detrimental impact on residential amenity upon that which already exists.

Any concerns raised in relation to the Party Wall Act 1996 are civil matters and are not material planning considerations.

### **Parking and highways considerations**

The proposal would result in the formation of two separate parking areas, one serving the new dwelling and the other serving Thorpe Cottage and its proposed garage. The Local Highways Authority has confirmed that it raises no objection to the scheme, subject to its recommended conditions, noting that the parking provision meets the required standards and that vehicles accessing the new garage at Thorpe Cottage would be able to enter and exit the highway in forward gear, albeit with some manoeuvring where space is limited. While no on-site turning is provided for the new dwelling (meaning vehicles will need to reverse onto or from the highway) the LHA considers this to be a common and acceptable arrangement within low-traffic residential areas. The anticipated increase in vehicle movements is low and is not expected to give rise to highway safety concerns. The LHA also raises no objection to the proposed grassing of the highway verge, provided a gully apron is installed to prevent soil entering the drainage system.

### **Biodiversity net gain and ecology**

Following amendments, the Authority's ecologist is satisfied that a minimum of 10% biodiversity net gain can be delivered on site. Although the ecologist requested that the results of an additional bat emergence survey be provided prior to determination, the submitted assessment identifies only a low likelihood of roosting bats within the existing garage. Given this low level of risk, a pragmatic approach has been taken to allow the outstanding survey work to be completed as a pre-commencement condition instead, should planning permission be granted by the committee.

## **Archaeology**

The Authority's Archaeology Team have requested that an archaeological watching brief take place on any groundwork included in the proposal as Thornton-Le-Dale is an early medieval village and the plot has remained largely unaltered since at least the mid-19th Century. The relevant conditions have been included in the recommendation.

## **Conclusion**

For the reasons outlined above it is considered that the proposed development would accord with the relevant policies of the NYM Local Plan 2020 and would contribute to the provision of smaller housing in Thornton le Dale which is a key objective of the Local Plan.

Consequently, approval is recommended.

## **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

## **Pre-commencement conditions**

Condition(s) 15,16,17,18 and 25 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

## **Contribution to Management Plan objectives**

Approval is considered likely to help meet Outcome 06 which seeks to make the North York Moors a place of great beauty where local communities thrive.

## **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including a reduction in scale of the overall development and alterations to the design, so as to deliver sustainable development.

# North York Moors National Park Authority

## Plans list item 2

### Planning Committee Report

**Application reference number:** NYM/2025/0779

**Development description:** conversion of agricultural buildings to form three local needs dwellings, garage and store with associated access, parking, amenity spaces and landscaping works (part retrospective)

**Site address:** Lenderfield House, Daleside Road, Church Houses

**Parish:** Farndale East

**Case officer:** Emily Jackson

**Applicant:** Mr J Wheldon

**Agent:** Mr Richard Waller

### Director of Planning's Recommendation

Approval subject to the following:

#### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Rev. No.	Date Received
Location Plan	2307-300-01	P-01	10 December 2025
Proposed Site Plan	2307-300-02	P-03	11 March 2026
Proposed Floor Plans	2307-300-03	P-02	11 March 2026
Proposed Elevations	2307-300-04	P-03	30 March 2026
Proposed Retaining Wall	2307-300-06	P-02	11 March 2026
- 3 The occupation of the dwellings hereby permitted shall be limited to:
  - i. a qualifying person; and
  - ii. a wife or husband (or person living as such), licensee, dependant, or sub tenant of a qualifying person.For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she has satisfied the Local Planning Authority that he/she was in need of local needs housing in term of the criteria set out in Policy CO13 of the adopted North York Moors Local Plan, namely that he/she is:
  1. Currently resident in the National Park, having been resident in the Park for at least the previous three years; or
  2. Currently in employment in the National Park; or
  3. Having an essential need to live close to relative(s) who are currently living in the National Park; or

4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or
5. Former residents whose case for needing to return to the National Park is accepted by the Authority.

Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 to 5 above.

Note A: For the purpose of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.

Note B: For the purpose of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions: Allerston; Beadlam; Burniston; East Harlsey; Ebberston and Yedingham; Great Ayton; Great and Little Broughton; Great Busby; Guisborough; Irton; Kirkby in Cleveland; Kirkbymoorside; Lockwood; Nawton; Newby; Pickering; Potto; Scalby; Snainton; Sutton under Whitestonecliffe.

Note C: A mortgagee of the owners exercising its statutory power of sale, a receiver appointed thereby, or a successor in title thereto is not bound by the provisions of this Condition, (provided always that any such mortgagee must be a body corporate registered with and regulated by the Prudential Regulation Authority (or any successor body whose function is to regulate mortgages and loans)). In the event that this happens, the local occupancy restriction shall however be replaced by a principal residence restriction as follows: -

The application property hereby permitted, shall be used as a principal residential dwelling (Class C3) and for no other purpose including any other use in Class C of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The property shall be the only or principal home of the main occupant, and it shall be occupied by the main occupant for at least 80% of the calendar year in the event that the main occupant occupies more than one property. The property shall not be occupied by the main occupant as a second home.

The occupants shall supply to the Local Planning Authority (within 14 days of the Local Planning Authority's request to do so) such information as the Local Planning Authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the property shall not be used as a single unit of holiday letting accommodation.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H; Schedule 2, Part 2, Classes A to F and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
- 5 The buildings to be converted into garage and storage shall be used for domestic storage and parking of vehicles incidental to the occupation of the dwellings on the site and for no other purpose. There shall be no alteration or conversion of these building hereby permitted to permanent residential accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
- 6 No external lighting shall be installed in the development hereby permitted until details of lighting and a plan to show how areas which are sensitive for nocturnal animals are not illuminated have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the

site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

- 7 The roof of the development hereby permitted shall be clad with traditional, non-interlocking, non-pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity.
- 8 The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes located within the mortar joint with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity.
- 9 All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
- 10 All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.
- 11 All new window frames and glazing bars shall be of timber construction, and no other materials shall be used.
- 12 No work shall commence on the installation of any windows and doors (including rooflights) for the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, including frames and glazing, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 13 No external trickle vents other than concealed trickle vent shall be incorporated into any new windows hereby approved and shall not be installed thereafter
- 14 The external face of the frame to all new windows shall be set in a reveal of a minimum of 100mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity.
- 15 No development shall commence until a Habitat Management and Monitoring Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Habitat Management and Monitoring Plan should include the following:
- a. A copy of the completed biodiversity metric.
  - b. Description and evaluation of the habitats to be retained, enhanced and/or created onsite.
  - c. Detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric.
  - d. Preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years.
  - e. Details of the persons or organisation responsible for implementation of the plan.
  - f. Details of the proposed habitat monitoring and plan review on a five-year cycle
- 16 Development may not be begun unless:
1. A biodiversity gain plan has been submitted to the Local Planning Authority, and
  2. The Local Planning Authority has approved the plan.
- 17 No groundworks shall commence until a phased land contamination assessment and, where necessary, remediation scheme has been submitted to and approved in writing by

the Local Planning Authority. The scheme shall be implemented as follows:

- a) A Preliminary Risk Assessment (Phase I Desk Study) shall be submitted and approved.
- b) Where recommended by the approved Phase I, a Phase II Intrusive Site Investigation shall be undertaken and approved.
- c) Where remediation is required, groundworks shall not commence until a Remediation Strategy, including a timetable for implementation and completion of the measures, shall be submitted and approved.
- d) Remediation shall be carried out in accordance with the approved strategy. If remediation cannot proceed as approved, all groundworks in the affected area (save for site investigation works) shall cease and the local planning authority shall be notified within two working days until a revised remediation strategy has been submitted and approved in writing.
- e) Upon completion of any remediation measures, a Verification Report shall be submitted and approved. No part of the site shall be brought into use until verification for that part has been approved. Where undertaken in phases, a Final Verification Summary Report shall be submitted following completion of remediation across the site.

18 If contamination not previously identified by the developer prior to the grant of this planning permission is encountered during the development, all works in the affected area (save for site investigation works) shall cease immediately and the local planning authority shall be notified in writing within two working days. Works in the affected area shall not recommence until either (a) a Remediation Strategy has been submitted to and approved in writing by the Local Planning Authority or (b) the Local Planning Authority has confirmed in writing that remediation measures are not required. The Remediation Strategy shall include a timetable for the implementation and completion of the approved remediation measures. Thereafter remediation of the site shall be carried out and completed in accordance with the approved Remediation Strategy. Following completion of any measures identified in the approved Remediation Strategy a Verification Report shall be submitted to the Local Planning Authority. No part of the site shall be brought into use until such time as the site has been remediated in accordance with the approved Remediation Strategy and a Verification Report in respect of those works has been approved in writing by the Local Planning Authority. Where verification has been submitted and approved in stages for different areas of the whole site, a Final Verification Summary Report shall be submitted to and approved in writing by the Local Planning Authority.

19 The development must not be brought into use until the access to the sites has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verges must be constructed in accordance with Standard Detail number E50 and the following requirements.

- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
- That part of the access extending 6 metres into the site from the carriageway of the existing highway must be at a gradient not exceeding 1 in 10.
- Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway must be constructed in accordance with approved details and

maintained thereafter to prevent such discharges.

- The final surfacing of any private access within 1 metre of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

20 No development shall commence until a scheme for the protection of bats has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

The results of at least one further bat emergence survey undertaken by a suitably qualified ecologist to confirm current roost usage;

A copy of any European Protected Species Licence, together with a schedule of works approved under that licence; and

A Bat Mitigation Statement, including details of any necessary mitigation and working methods.

Development shall thereafter be carried out in strict accordance with the approved scheme and the approved mitigation measured maintained in perpetuity.

#### Informative(s)

1 In relation to the contaminated land conditions, Environmental Health refer those with an interest in the development to the Yorkshire and Lincolnshire Pollution Advisory Group guidance documents and any subsequent revisions:

- Development on Land Affected by Contamination Technical - Guidance for Developers, Landowners and Consultants (Version 12.2 dated July 2023)
- Verification Requirements for Cover Systems Technical Guidance for Developers, Landowners and Consultants (Version 4.1 – June 2021)

2 With reference to condition no. 6 above, further advice and guidance in relation to suitable external lighting fixtures is available on the [Authority's web site](#) or by contacting the Authority at [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk). Any new lighting installed should be designed and installed to minimise the effects of light pollution. This could include the use of shielding to avoid upward glare, avoidance of the use of higher intensity lights and use of lighting triggered by movement sensors. Further general information on lighting can be found on the [International Dark-Sky Association web site](#) together with more detailed information about [outdoor lighting](#). This is to protect the nocturnal wildlife and the quality of the dark night skies above the National Park in accordance with Policy ENV4 of the North York Moors Local Plan and to support the North York Moors National Park's Management Plan Objective 9 – 'Increase the intrinsic darkness of the National Park International Dark Sky Reserve by expanding the current dark sky core zone by twenty percent by 2027'.

3 Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the [County Council's website](#). The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

4 The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Mining Remediation Authority on 0345 762 6846 or if a hazard is encountered on site call the emergency line 0800 288 4242.

Further information is also available on the Mining Remediation Authority website at [Mining Remediation Authority - GOV.UK](http://MiningRemediationAuthority.gov.uk)

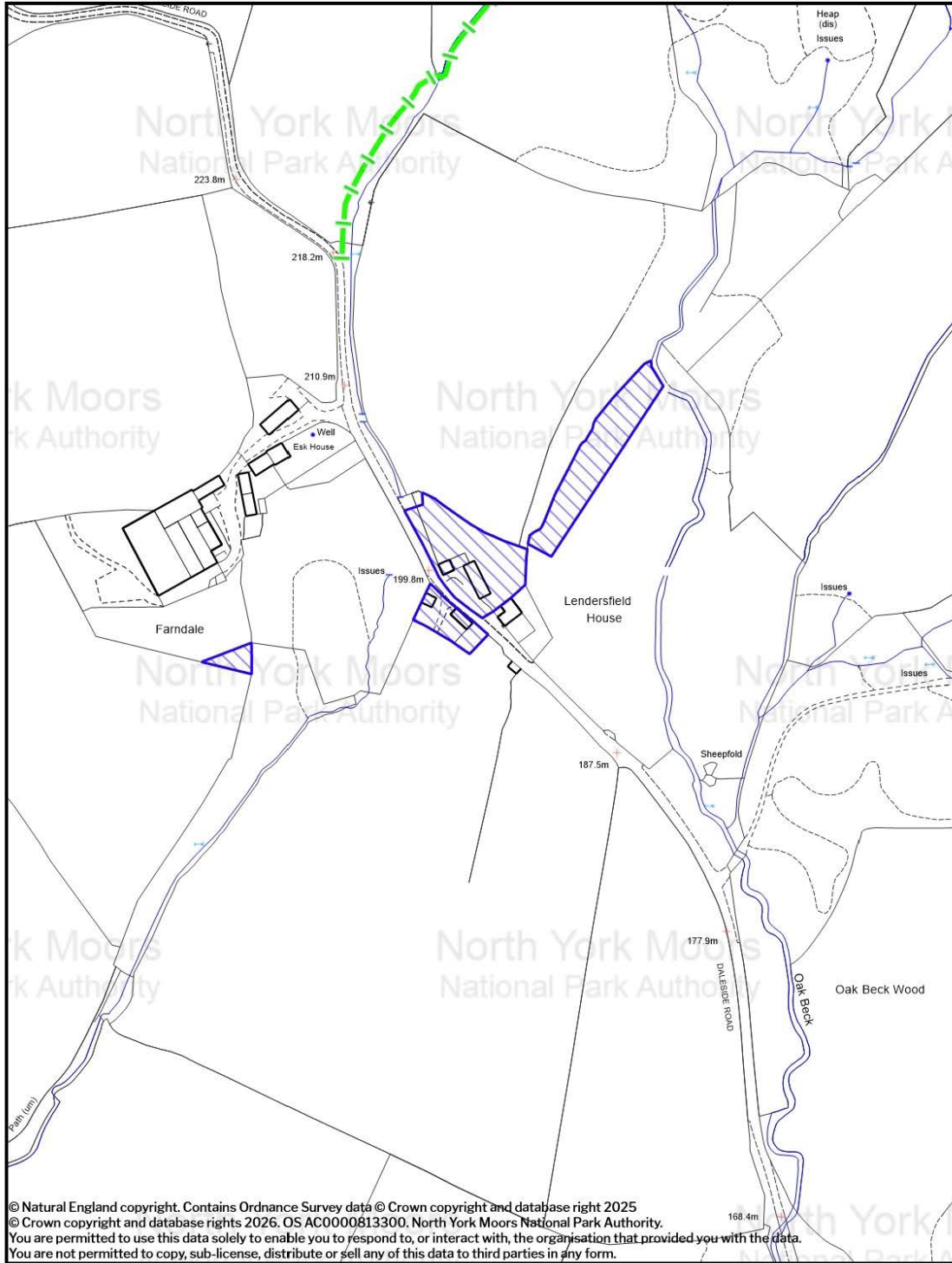
# Map showing application site



**North York Moors  
National Park**

Application Number: NYM/2025/0779

Scale: 1:2500



**Photograph looking south from Daleside Road towards application site; buildings on left hand side of photograph to be converted into 3no. local occupancy dwellings, while buildings on other side of road (to right hand side of photograph) are proposed to be retained as a garage and store.**



**Photograph looking north towards application site; two buildings in L-Shaped layout are proposed to be converted into 3no. local occupancy dwellings. Retrospective permission is sought for the rebuilding works to the left-hand side building.**



Photographs showing building condition prior to re-building works (Google Streetview, 2024).



## **Consultation responses**

### **Parish**

Support with the following conditions proposed: the design to consider parking so as not to restrict access to other residents and agricultural traffic. The council is in favour of the local occupancy clause and believes this to be a significant and positive inclusion. The councillors noted they would be more supportive of larger occupancy accommodation to be considered to encourage families into the dale, rather than the proposed one and two bed dwellings.

### **Highways (LHA)**

27 March: Recommends conditions - following amendments to the site plan and access layouts, the application includes the construction or reconstruction of three access points across the highway verges.

27 January: The LHA are concerned about the amount and the type of works that proposed within the highway extents.

### **Environmental Health**

Scientific Team (16 March): Unable to accept the screening assessment provided, as the proposal introduces a use that is sensitive to land contamination, on land that may be subject to land contamination because of its past use, and so should the matter proceed to approval then the recommended phased contaminated land conditions and informative should be applied.

Scientific Team (07 January): Applicant should complete a contaminated land screening assessment for to assess the need for a Phase 1 Preliminary Risk Assessment.

Environmental Protection: No details about the package treatment plant for foul drainage are included in the proposal. Any new package treatment plant should follow the General Binding Rules and Building Regulations Part H (Drainage and Waste Disposal). It is essential that the applicant follows the advice on proper installation and maintenance, including record keeping. External lighting should be kept to a minimum, use warm, downward-facing fixtures, and incorporate shielding to prevent light spill, in accordance with dark skies policy.

### **Ramblers Association**

No comments

### **Police – Traffic**

None received

### **Forestry Commission**

None received

### **Third party responses**

**P Mawson, Long Causeway, Daleside Road**

**P and S Warren, Daleside Chapel Daleside Road**

**Mr & Mrs Jaume, Menthorpe House, Daleside Road**

**S C Mitchell, Hollins Farm Cottage, Daleside Road**

Comments

- The above person(s) object to the application for one or more of the following reasons:
- The proposed development is likely to result in a significant increase in vehicle movements on Daleside Road, a narrow single-track lane with limited passing places and only one route of access in and out of the dale.
- The road is not gritted during winter, is frequently in poor condition, and can become hazardous or impassable during icy or snowy conditions.
- Concerns are raised regarding vehicle speed, the absence of pavements, and the potential for increased risk to pedestrians, residents, farm traffic, livestock, and wildlife.
- Construction activity would introduce heavy goods vehicles, contractor traffic, and deliveries for a prolonged period, exacerbating existing highway and safety issues.
- Increased traffic would pass immediately adjacent to a number of dwellings and farmsteads, giving rise to concerns relating to noise, vibration, residential amenity, and potential property damage.
- The proposed parking area is located near a blind corner, which is considered to raise highway safety concerns.
- The development is likely to adversely affect the rural character and tranquillity of Farndale, which is valued for its quiet and unspoilt nature.
- The number of roof lights proposed is considered excessive and likely to result in light pollution.
- Objections are raised to the proposed housing mix, particularly the provision of multiple one-bedroom units, with concerns that these do not address identified local housing needs, including for families or agricultural workers. Questions are raised regarding who the proposed dwellings are intended to serve, given the remoteness of the site, limited local employment opportunities, and lack of public transport.
- Concerns are raised regarding potential impacts on wildlife, including the blocking of openings used by barn owls prior to the determination of the application.
- Unauthorised works have already taken place, including excavation, alterations to stone walls, removal of a tree, and rebuilding works.

**Consultation expiry**

27 March 2026

## Background

The application site relates to a group of substantial, traditional stone and pantile barns located to the north and west of Lenderfield House, an isolated residential property located on Daleside Road approximately 4 miles north of Low Mill in Farndale.

The group of buildings are understood to date from the mid-19th Century, with evidence of the two storey buildings on Ordinance Survey Maps as early as 1854. There is no recorded planning history associated with the site.

This application follows an open enforcement investigation relating to rebuilding works undertaken to the northernmost element of the building without the benefit of planning permission. Prior to these works, the structure was in a poor state of repair; a section of this building had partially collapsed and the roof was missing. Rebuilding works have since been carried out, including the complete reconstruction of this part of the building using the original stone.

This application seeks planning permission for the conversion of two of the barns on site which are arranged in an L-shaped layout but not internally connected, to create three local occupancy dwellings (1x two-bedroom unit and 2x one-bedroom units). As part of the proposal, retrospective permission is sought for the rebuilding works outlined above. The two further outbuildings located on the opposite side of Daleside Road are proposed to be retained for use as a garage and store. The application also includes associated landscaping works, including the formation of an access, provision of parking areas, and the construction of stone gabion supporting structure.

## Main issues

### Local Plan

The most relevant policies contained within the North York Moors Local Plan 2020 to consider with this application are **Strategic Policy C (Design)**, **Strategic Policy M (Housing)**, **Policy CO10 (Housing in Open Countryside)** and **Policy CO12 (Conversion of Existing Buildings in Open Countryside)**.

**Strategic Policy C (Design)** seeks to maintain and enhance the distinctive character of the national park by considering appropriate siting, orientation, layout, and density of proposals in addition to appropriate scale, height and massing and form. Proposals should utilise good quality materials and be of a high-quality, sustainable design that reflects and complements the architectural character and form of the original building and/or that of the local vernacular.

**Strategic Policy M (Housing)** seeks to ensure the delivery of new homes to help meet the needs of local communities and be delivered through the development of sites allocated in the Helmsley Local Plan and in Policy ENV13, Environmental Enhancement Sites; through windfall development, including custom and self-build housing, on suitable small sites in listed settlements; through affordable housing schemes on rural exception sites and through proposals put forward in accordance with a Whole Estate Plan approved by the National Park Authority.

The supporting text for Strategic Policy M states that a Strategic Housing Market Assessment (SHMA) was carried out in 2016 which noted that the key requirement in the National Park is for affordable housing to meet local needs. The SHMA concluded that an annual figure of 29 dwellings, mainly one and two bedroom units for affordable housing and smaller two and three bedroom units for general housing needs, together with some specialist housing for the growing elderly population would meet local needs and have the potential to stabilise population levels. There is little need for larger properties.

**Policy CO10 (Housing in Open Countryside)** seeks to ensure that in order to maintain the quality of the National Park landscape, housing development in Open Countryside will only be permitted where there is an essential need to support established farming, forestry or other essential land management activities; where an existing dwelling is to be replaced in accordance with Policy CO14; or where a rural building is of architectural or historic interest and is to be converted in accordance with Policy CO12.

**Policy CO12 (Conversion of Existing Buildings in Open Countryside)** seeks to permit such development only where the building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park; is structurally sound and capable of conversion without substantial rebuilding, is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings; has reasonable access to necessary infrastructure, services and facilities; is of a high quality design retaining existing external features; does not lead to changes in the building's curtilage or in relation to any new vehicular access or parking area that would adversely affect the character and appearance of the building or the surrounding landscape; is located within an existing group of buildings that have a close physical and visual relationship to each other; and the proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings. Proposals for housing under this policy will be subject to a local occupancy restriction.

The supporting text for Policy CO12 states that: not every building will be considered suitable for conversion and reuse. In some cases, there may be no appropriate alternative use and in others the amount of re-building required would be tantamount to the construction of a new building which, in locations outside settlements, is unlikely to be sustainable. In such cases it may be appropriate to accept the building falling into disrepair and eventually being lost. It may also be the case that allowing conversion to new residential use may result in an unacceptable impact on the amenity of an existing adjacent occupier or that the introduction of new openings, domestic paraphernalia, structures, and extended curtilages would have an unacceptable landscape impact. In such cases permission will be resisted.

### **Material considerations**

The application has been brought before Members due to the number of third-party objections received and because the recommendation is not wholly compliant with one of the Authority's adopted planning policies (Policy CO12).

## Design and principle

The application site relates to a group of traditional stone barns dating from the 19th century which are considered to make a positive contribution to the character and appearance of the locality and historic character of the National Park. The range of buildings are indicative of historic development form and vernacular design in this part of the National Park. In principle, such buildings are appropriate for conversion to residential use under Policy CO10 and Policy CO12 provided that they meet the criteria of Policy CO12 which requires buildings to be capable of conversion without substantial rebuilding and are of an appropriate scale and form without the need for significant alterations or extensions.

In this case, all barns on the site are currently structurally capable of conversion; however, it is acknowledged that significant rebuilding works have taken place to one of the barns without the benefit of planning consent to get to this stage and that if considered in its original dilapidated form, the northernmost barn would have presented a conflict with Policy CO12.

Notwithstanding this policy conflict, in their previous form the remaining barns remained intact, and the historic form of the site was clearly legible, with the group contributing positively to the wider landscape. The form of the re-built element remains of importance to the overall built form of the site. The rebuilding works to the northernmost outbuilding accurately reflect the historic form of the original building and have been completed to a high standard, with the reuse of original stone wherever possible, no increase in footprint or mass, and all openings retained in their original positions and proportions as far as possible, replicating the original building.

Having regard to the rebuilding of a small section of the overall group (rather than works to all of the buildings), the preservation of a traditional group of buildings, and the absence of landscape harm to the character of this part of the National Park, the Authority considers that a pragmatic approach should be taken to the rebuilding works in this instance. On balance, the delivery of three local occupancy dwellings is considered to outweigh the alternative whereby the buildings would remain unused, fall into further disrepair and be at risk of being lost.

As originally submitted, the scheme included a fourth local occupancy dwelling through conversion of the smaller outbuilding on opposite side of the road. However, that building is of a very limited size and required an extension to provide a viable dwelling, resulting in a further conflict with Policy CO12. When considered cumulatively with the rebuilding works, the introduction of an additional dwelling and the required extension was considered to represent an unacceptable departure from policy and an overdevelopment of the site. Following negotiations, this element of the proposal was subsequently removed, and the building is to be retained as a store instead. The site, effectively divided by the road is not an unusual feature in this area.

The revised proposal is for three local occupancy dwellings consisting of one two-bedroom unit and two one-bedroom units. This mix is considered to align with the

identified housing need outlined by Strategic Policy M for smaller, more affordable dwellings in the National Park, where there is limited need for new larger homes.

The proposed scheme is of a high-quality design which preserves the character and appearance of the existing buildings, making good use of the original openings whilst limiting the use of new ones such that the agricultural character of the structures is preserved. Following amendments, the proposed retaining stone gabions have been reduced in size and are felt to be of a scale which aligns with the use of the barns as dwellings without appearing overly domestic. The form and materials for the gabions are also considered more appropriate to the landscape setting than domestic fencing, which can detract from rural character.

On balance, the proposed development is therefore considered to be of an appropriate design which would preserve the existing rural character of the surrounding area, and the conversion of the buildings into local occupancy dwellings is, for the most part, considered to adhere to the Authority's adopted policies when assessed as a whole.

### **Impact upon neighbouring amenity**

In terms of residential amenity, the closest neighbouring occupier is Lenderfield House, which is located approximately 10 metres from the southernmost barn. The next closest dwelling, Esk House, is located approximately 100 metres to the north-east, with Long Causeway situated over 500 metres to the south-east.

Any potential impacts on residential amenity would therefore primarily relate to Lenderfield House. However, given the modest scale of the proposed dwellings and the reuse of the existing buildings, the development is considered to result in no unacceptable increase in noise or disturbance. Overlooking would be limited, with only one gable window and a small number of arrow slot openings on the southern elevation which do not directly face Lenderfield House and are set above it due to the change in ground levels. The remaining fenestration faces west, away from the neighbouring property.

The relevant amenity concerns raised by objectors relate to the increased concentration of residential use within a predominantly rural area and the associated increase in vehicular movements. While the proposal would result in a greater concentration of dwellings in the area than currently exists, the development is limited to three small-scale units and is not considered likely to generate an unacceptable level of activity or associated vehicle movements. It is also noted that the site has historically been used for agricultural purposes (although not recently), and the level of vehicular movements associated with the proposed residential use would be no greater than those arising from its use as a working farm.

The site is of sufficient size to provide an appropriate level of outdoor amenity space for future occupiers, and it is considered that the proposal would preserve the living conditions of existing residents. Overall, the development is therefore considered to result in a satisfactory level of residential amenity.

## **Highways**

As originally submitted, the Local Highways Authority (LHA) raised concerns over the level of works which would take place within the public highway. Following a meeting on site between the applicants, their agent and the LHA, amended plans were submitted showing changes to the access arrangements and on-site parking layout serving the proposed dwellings. Upon assessment of these changes, the LHA have raised no concerns on highway safety grounds, subject to recommended conditions, which have been applied.

Daleside Road is a relatively low traffic area, and the introduction of three smaller dwellings is not considered likely to result in an unacceptable increase in vehicle movements nor to result in an unacceptable loss of highway safety. An existing lay-by in front of the barns is to be retained which can be used as either a passing place or public parking and there are also several passing places within the immediate vicinity.

## **Ecology**

The Authority's ecologist is satisfied that a minimum uplift of 10% Biodiversity Net Gain can be achieved on the site by the creation of gardens and two new woodland areas.

The ecologist did advise that a lapwing survey should be undertaken on the field where the tree planting is proposed. However, this was subsequently addressed through the submission of a further statement from a suitably qualified ecologist, which confirmed that in their professional opinion the proposals would not result in harm to ground-nesting birds. Following this, the Authority's Ecologist is satisfied that no additional survey is required.

The submitted bat survey identified that the buildings support 3 separate Common Pipistrelle Day roosts, comprising a total of 10 individuals. As a result, additional emergence surveys are required prior to the development commencing. This has been included as a condition.

## **Conclusion**

For the reasons outlined above, conditional approval is recommended.

## **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

## **Pre-commencement conditions**

Condition(s) 15, 16, 17 and 20 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

## **Contribution to Management Plan objectives**

Approval is considered likely to help meet Outcome 06 which seeks to make the North York Moors a place of great beauty where local communities thrive.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the omission of one of the dwelling units to preserve the traditional form of the barns and to avoid over development of the site, so as to deliver sustainable development.

# North York Moors National Park Authority

## Plans list item 3

### Planning Committee

**Application reference number:** FL/2026/00032

Development description: change of use of land from agricultural to equestrian, creation of manege, erection of stable building, construction of access track/parking/turning area and retention of four ground source heat pump boreholes (part retrospective)

### Site address:

land to the rear of Box Tree House, 13 The Crescent, Carlton in Cleveland

**Parish:** Carlton CP

**Case officer:** Hilary Saunders

**Applicant:** Jonathan Brown

**Agent:** Mr Alistair Mitchell

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
- 3 There shall be no commercial use of the stables and the manege hereby permitted and it shall be used only for the horses/ponies kept for hobby/domestic purposes ancillary to the occupation of the property known as Box Tree House, 13 The Crescent and for no other purpose.
- 4 No external lighting shall be installed in the development hereby permitted.
- 5 No jumps or other structures used in connection with the application site shall be permanently erected within the application site (other than within the manege hereby approved). Any such structures other than within the manege shall only be in place whilst in use.
- 6 The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity.
- 7 The external elevations of the stable building hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding, that shall

either be allowed to weather naturally or be stained dark brown and shall thereafter be so maintained.

- 8 If the use of the building for the purposes of the stabling of horses/ponies ancillary to the dwelling known as Box Tree House permanently ceases, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place.
- 9 No burning of manure or stable sweepings shall take place anywhere on the site and full details of the proposed method of storage and disposal of waste from this stable including the location of any storage and the frequency of disposal off the site shall be submitted to the Local Planning Authority within one month of the date of this consent. The method of waste disposal shall accord with the details so approved.
- 10 No external public address system or amplified sound equipment shall be installed or used on the site unless details have first been submitted to and approved by the Local Planning Authority. The approved details shall include hours of use and measures to control noise emissions.
- 11 The solar panels hereby approved shall have black frames and thereafter be so maintained.
- 12 Development may not be begun unless:
1. A biodiversity gain plan has been submitted to the Local Planning Authority, and
  2. The Local Planning Authority has approved the plan.
- 13 No development shall commence until a Habitat Management and Monitoring Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Habitat Management and Monitoring Plan should include the following:
- a. A copy of the completed biodiversity metric.
  - b. Description and evaluation of the habitats to be retained, enhanced and/or created onsite.
  - c. Detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric.
  - d. Preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years.
  - e. Details of the persons or organisation responsible for implementation of the plan.
  - f. Details of the proposed habitat monitoring and plan review on a five year cycle
- 14 The access between the highway and the application site and the highway must be permitted for vehicles associated with the proposals whilst the development is in use.

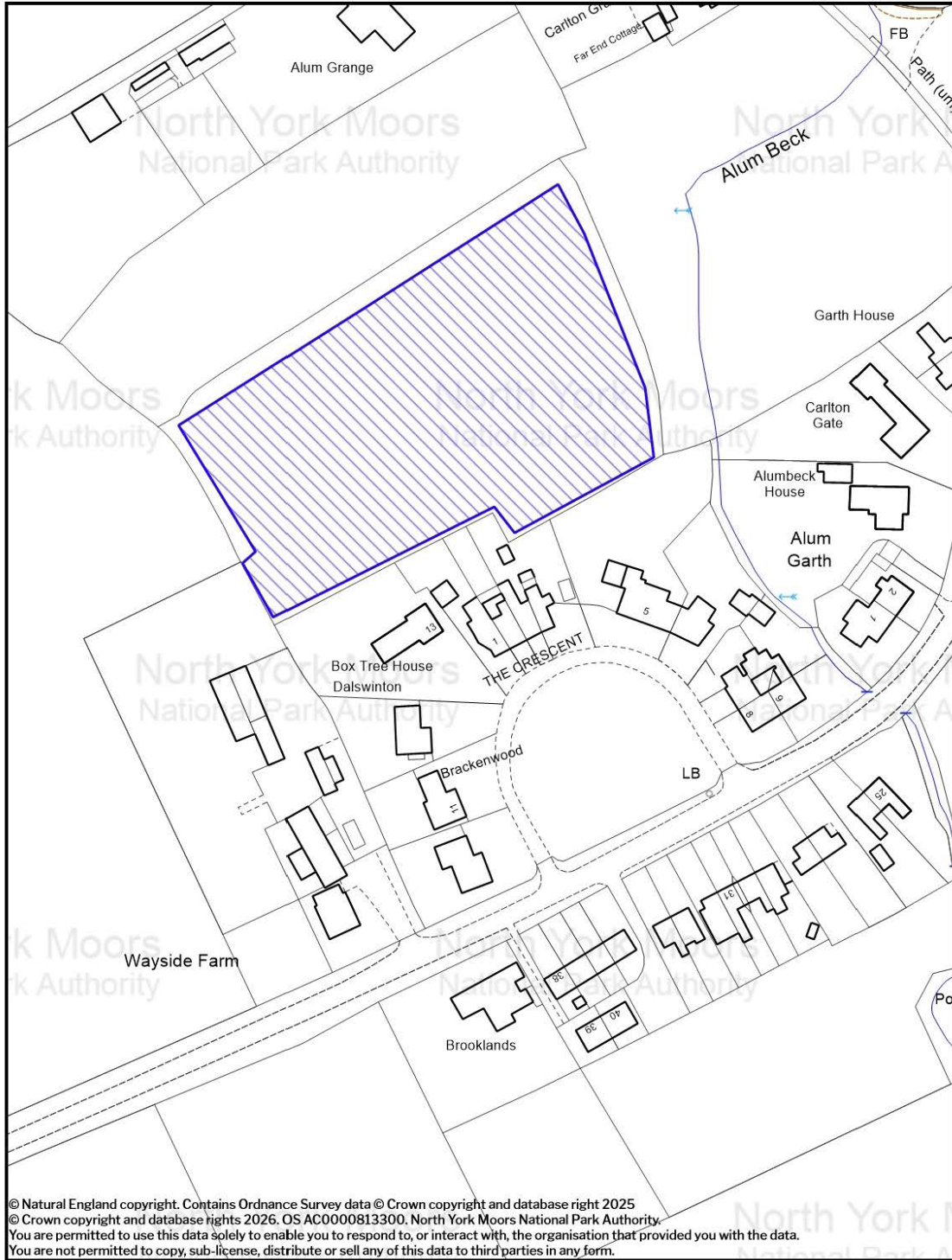
# Map showing application site



**North York Moors  
National Park**

Application Number: FL/2026/00032

Scale: 1:1500



**Photo showing view across the Crescent to the application property (cream rendered) with application field behind**



**Arial photo showing approximate location of riding arena and stables (Green) in context of neighbouring properties, applicants land (blue) and Conservation Area boundary (to east of red line)**



## **Consultation responses**

### **Parish**

The Parish Council meeting was inquorate, so comments made (objecting) have been included within the third-party comments.

### **Highways (LHA)**

No objections subject to conditions.

The site is accessed from the public highway, Faceby Road via The Crescent which is a privately maintained road. The access from The Crescent onto Faceby Road is adequate and has good visibility splays. Any concerns about the use of traffic on The Crescent is a private matter. Any damage to The Crescent due to the traffic accessing the application site for either the proposed use or for the construction would also be a private matter.

This application is made for private use only and not as a commercial enterprise. The proposed stables appear to be suitable for three horses. The main issue that the LHA is taking into consideration is if the applicant has a right of passage along The Crescent for the vehicles that would be associated with the application i.e. Horse box trailers. Some of the comments received claim there is permission and others claim there isn't. If this vehicular right of passage is permitted along The Crescent, the LHA have no objections to the proposed development.

If this vehicular right of passage is not permitted and the horse trailers do not use the privately maintained road, there are two issues:

On the assumption that the trailers will still be needed, the most likely place for them to park will be on the highway verge on Faceby Road. This would cause damage to the verge and obstruct the vision splays for drivers coming out of The Crescent.

Access for deliveries to the site would still be needed. If these vehicles are not allowed, again, the vehicles would have to off load goods onto the Faceby Road verge. The application is made by the applicant on the understanding that this permission is either already in place or can be obtained.

The LHA recommendation is also made on the same understanding. If the applicant does not have this permission from the third party of who is responsible for The Crescent, this would have a significant impact on how the site could be used.

### **Lead Local Flood Authority**

While the red line boundary is slightly over a hectare, the majority of this is remaining as open green space. As there is no formal surface water drainage system, and a minimal increase to impermeable area, the LLFA has no further comments to make.

### **Environmental Health**

No objections, subject to the imposition of appropriate conditions, regarding private use, no external lighting, details of location, design, containment and management of manure storage and external public address system or amplified sound equipment.

### Third party responses

The following people object to the application for some or all of the following reasons:

**Ms V J Molloy & Mr C Coak, 1 The Crescent, Carlton in Cleveland**

**Mrs J Prest, 2 The Crescent, Carlton in Cleveland**

**Mr R Catterall, 3 The Crescent, Carlton in Cleveland**

**Dr & Mrs Foley, 5 The Crescent, Carlton in Cleveland**

**Mr A Bailey 7, The Crescent, Carlton in Cleveland**

**J Irwin, Field Edge, Carlton in Cleveland**

**B & M Cinderey, 10 The Crescent, Carlton-in-Cleveland**

**Two Members of Parish Council (not quorate)**

**P. Battle, 6 The Crescent, Carlton in Cleveland**

**S Prest, 6 The Crescent, Carlton in Cleveland**

**Mr M. Van Geffen, Alum Grange, Carlton Village Track, Carlton in Cleveland (Part Objection - for the manege element of the application).**

- The agricultural field was never accessed from the Crescent and does not have permitted road access to the field. The Crescent is a private road.
- The loss of residential amenity.
- Change of access will have a considerable impact upon the residents of the Crescent due to increased flow of traffic, increase in noise, increase in foot fall and damage to the road surface and the ridge and furrow verges.
- Lighting of the manege would be further detrimental impact on the existing residential amenity.
- At present the land is an attractive open space and a change of use to a built environment would mean the natural landscape is therefore permanently lost.
- Excessive size of manege at 60m x 25m which at a size of 1500 m<sup>2</sup> is almost double the size which is normal for an average private manege 40m x 20m (800 m<sup>2</sup>).
- The plans do not show any hedging and/or tree buffer zone to the NNW boundary of the manege, this would have mitigated somewhat the significant visual intrusion of the manege when viewed from private land to the north.
- In addition to hedging the visual impact of the manege could be lessened by the planting of trees along or close to the hedge line.
- Loss of residential amenity due to size of manege and likely times of use during evenings and weekends. The existing peace and quiet is a key component of 'residential amenity' in UK planning law.
- Impinges on a number of properties which would result in lifestyle changes due to combined loss of privacy and unwelcome noise.

The Crescent has long been characterised by its quiet, rural setting, open outlook, and lack of activity to the rear of properties. The residential gardens of numbers 1–5 back directly onto open agricultural land and have historically benefited from a strong sense of openness, spatial separation, and tranquillity.

Until very recently, the field has been used for low-intensity seasonal sheep grazing, with very limited human presence. This forms an important part of the setting of our homes.

A large proportion of life is spent in rear gardens and garden rooms which directly face the agricultural field. The increased level of activity and human presence close to boundaries would erode this currently quiet and peaceful character, harming residential amenity in a way that goes beyond occasional disturbance.

Fundamentally in conflict with several of the NYMNP - Policy A, Strategic Policy C and Policy's ENV2, ENV4, CO20 and CO17 of the Local Plan Policy considerations and provides an inadequate and misleading assessment of the biodiversity and heritage implications.

The field was previously part of Hall Farm and originally the Busby Hall and used as agricultural sheep grazing land with a ridge and furrow heritage feature. Considerable damage has been done to the biodiversity, wildlife, hedging, and trees which should have been accounted for in the biodiversity assessment.

Part of the wider field is in the conservation area with access from the roadway to the northern end. Another access via a domestic property and across a private residential road should not be permitted as it would create an unacceptable level of noise, nuisance and wear and tear.

Planning decisions in the village should be consistent. This application has a lot of similarity to application NYM/20017/0495/LB which was rejected and FL/2026/00032 should also be rejected for a number of the same reasons relating to the heritage features and closeness to the domestic curtilage of adjacent buildings.

Whilst can understand the desire to accommodate a small number of horses for solely family domestic use, the scale of this application is excessive and close to a number of domestic dwellings.

Impact on the current amenity could not be any more severe, departing from a position of almost total privacy and non-existent human activity to the possibility of daily human presence, the direct visual impact of the regular use of a menage, in all weathers, for riding, jumping, lunging, training, and exercising. Privacy already been eroded with now daily activity.

There have already been occasions where the use of the field has caused disturbance, including the use of quad bikes and the placing of brightly coloured equestrian jumps directly opposite our boundary fence.

The proposed stables would be located within the agricultural field, very close to the applicants substantially extended dwelling, and large three-bay garage. In this context, the stables would read as an extension of domestic development into the adjoining field.

The size of the proposed stables is substantial and would feature significantly and prominently in the landscape as viewed from the neighbouring residential gardens.

There is a significant concern that this will escalate the risk of vermin at the site.

If granted, not only would this be a prominent feature of the landscape, it would be the only thing we could see from our private gardens and together with the stables would be all encompassing. It is difficult to comprehend how we would ever be able to sit in our garden and enjoy any level of privacy or tranquillity again.

The most common size for a manege is a 40 x 20 metre school. This is quite adequate for most domestic needs, but you may need to extend it to 60 x 20 if you intend to do a lot of jumping or dressage. This serves only to compound concerns in relation to the effect on neighbouring amenity even more and suggests that the applicant intends to use their proposed 60 x 25 metre manege more than average and in order to do 'a lot' of equestrian related activities.

While accept that equestrian activity can be appropriate in some countryside locations. In this case, the close relationship between the proposed stables, existing domestic development and neighbouring gardens means that the proposal would be domestic-led rather than countryside-led.

When considered cumulatively with the existing domestic development on the site, the proposal would not meet the criteria of Policy CO20 for private equestrian development and some regard therefore needs to be given to Policy CO17.

The village already has more than sufficient equestrian facilities located a short distance from the applicant site where a large stabling livery and undercover manege facility.

Disposing of water by way of a 'Soakway' is entirely inadequate. The land already suffers with drainage and water collection issues which directly impacts the rear gardens of the neighbouring properties and would be compounded by the addition of a larger than normal manege.

The biodiversity and heritage assessments appear to be fundamentally deficient. The agricultural land is Ridge and Furrow. The installation of a drainage system into the field has already resulted in the loss of this historic landscape feature with the earthworks now likely lost forever.

The field is not wasteland it is part of an historic agricultural landscape. In addition, the report appears to limit the assessment to direct impact, failing to take into account that the field subject to the application sits adjacent to a priority habitat.

Changes undertaken have already impacted on wildlife significantly, much of which we have now sadly lost including the resident barn owl family.

The introduction of built development including stables, along with a ménage, fencing, and associated paraphernalia, would result in a marked urbanising effect.

As riders of the horses would be elevated this would be even more intrusive into my rear garden and have a detrimental impact on my privacy and tranquillity.

Impact on wildlife - pheasants, small birds, bats, and the house martins that nest here every summer.

Without adequate drainage provision, there is a risk of surface water runoff, which could affect surrounding land and potentially lead to localised flooding or waterlogging. The field has had problems with flooding in the past.

### **Insufficient detail regarding manure storage and waste management.**

The two turnings from the Crescent onto Faceby Road can be quite hazardous due to the speed of traffic using Faceby Road, and especially when the view out of the Crescent is restricted by vehicles parked on the verge outside.

Has it been fully considered that the proposed soak-away and/or drainage from the ménage site might run the risk of additional pollution finding its way into Alum Beck, which runs through the adjacent field?

The proposals should be considered within the context of the whole village and not just the conservation area. Although not part of the conservation area the Crescent includes residential properties of historical significance dating back to the early 1900's.

Policy ENV9 seeks to preserve evidence of "ridge and furrow and other evidence of past field systems and farming practices", whilst Strategic Policy I - The Historic Environment, seeks to ensure that "All developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park Both strategies should therefore be considered within the context of this and any associated developments.

There does not appear to be any implied permission which would allow this private road, which is paid for and maintained by residents of The Crescent, to be used to provide access to agricultural or equestrian land in the field to the south.

The reference by the Building Conservation Officer to past Ridge and Furrow is dismissed (despite the National Park's commitment to this ancient agricultural practice's retention) because the land has recently been ploughed. Evidence of its past state and condition has been provided by residents and the Forestry Commission. As has been mentioned by another objector, the Building Conservation officer's report in NYM/2017/0495/LB acknowledged not only the importance of ancient Ridge and Furrow but also that its existence in an adjoining and non-designated area was relevant.

There is no consideration given to the fact that the application is for only a part of an ancient field whose access has always been through the remainder of the field which is within the Conservation Area.

### **Overdevelopment**

The description of the Carlton in Cleveland Conservation Area refers to its many green spaces, natural boundaries, and the strong sense of tranquillity. This field is an important feature and one of the important green spaces and was undoubtedly one of the reasons why its eastern part and Garth House were included in its designation in 1977.

Paragraph 115 of the National Planning Policy Framework requires that developments provide "safe and suitable access to the site for all users." In this case, the application fails to demonstrate that such access can be achieved. No transport statement or

supporting assessment has been provided to quantify or assess traffic generation or road suitability.

The applicant hasn't "ploughed" the field in an agricultural sense and to suggest so is entirely misleading. The area referenced is flat because the applicant laid a concrete hardstanding and a road into a non-designated heritage site without the requisite planning authority permission. The remainder of the field was dug up to insert bore holes and drainage.

There does not appear to have been any archaeological assessment yet as to the extent of the presence of or damage to the Ridge and Furrow earthworks which run deeper than just visual surface inspection as highlighted by the LiDAR 'optimised for archaeology' visual. The deeper earthwork information on that visual database does not accord with the written views of the building conservation officer.

Request that the planning officers give appropriate weight to the concerns of those who will be impacted most by the proposals, i.e. those who habitually live in the crescent and those who's domestic gardens logistically interact with the proposed site.

This is a site which until recently had virtually no human presence and absolutely no vehicular activity whatsoever. The site was used for seasonal sheep grazing. The proposal inevitably introduces repeated riding / jumping in fixed locations, movement close to open residential boundaries, the introduction of vehicles, an increase in human presence by virtue of tending to horses, the introduction of multiple people outside of the immediate domestic household wanting to use the facilities.

The drawings appear to show a large number of solar panels on the roof. What are the applicants intending to power with such a large quantity?

Currently there are no agricultural vehicles regularly accessing the crescent to service the field, the proposal will not only introduce this but necessitate it. Hay will need to be regularly delivered, manure will have to be regularly removed, users of the site will be in and out, on foot, on horseback, in vehicles.

The following people have written in support of the application for some or all of the following reasons: -

**L Wastell, 4 The Crescent, Carlton in Cleveland**

**J & A Heagney, Holly Lodge, Carlton Track Carlton in Cleveland**

**J Craven, 8 The Crescent, Carlton in Cleveland**

**Mr & Mrs Hughes, Tullyvallen Main Road Through Carlton Village**

**Mr Andrew Sykes 29 Faceby Road, Carlton in Cleveland**

**H Wilson, Wayside, Faceby Road Carlton in Cleveland**

**G Clapton, Ash Tree Cottage, Carlton in Cleveland**

**D Chipchase, Crossways, Carlton-In-Cleveland**

**M& L Maynard, Temple House, Carlton in Cleveland**

**N & R Clapton, Ash tree Cottage, Carlton in Cleveland**

**Dr P & Dr C Williams, St Botolph's Quest, Carlton in Cleveland**

**B Howell, Holly House, Carlton on Cleveland**

**P Scott, Faceby Manor, Carlton in Cleveland**

**G Hill, South View, Carlton Village**  
**J Hughes, Faceby Manor, Faceby**  
**L Sykes, 29 Faceby**

The land is well suited to this type of use, being in a rural area where equestrian activity is already common and appropriate.

Equestrian use is typically quiet and compatible with the surrounding countryside. Policy CO20 (Equestrian Development) supports horse-related development where impacts are acceptable, and in this case the use is clearly non-commercial and limited in scale.

**Proposal represents a low-impact use of the land.**

In terms of visual impact, the proposed ménage will be enclosed by a mixed hedge, in addition to existing boundary hedging around the field. This provides natural screening which will reduce visual intrusion and help integrate the development into the landscape. Over time, this additional planting is also likely to provide ecological benefits through the creation of habitat, which aligns with the wider objectives of Strategic Policy A (Conserving and Enhancing the Natural Environment).

Will not result in any significant increase in noise, traffic, or disturbance.

The proposed stables are modest in scale and will sit comfortably within the rural setting.

Concerns re highway and traffic impacts are overstated. Large vehicles, including refuse lorries and delivery vans, already navigate the road without issue.

Proposal would reduce the need to transport horses elsewhere for exercise or care.

Horses are already grazed on the land, and this would formalise and better manage this existing use by providing stabling and a ménage for on-site exercise.

Proposal is sensibly located directly behind the applicant's home, rather than isolated development in the open countryside. That helps to contain the development.

The scale and nature of the proposal are typical of private equestrian use found at the edge of rural settlements.

The proposed use is a private domestic equestrian use, not an intensive commercial operation, and would not result in such a level of activity as to justify refusal on amenity grounds.

Some objections refer to loss of privacy and changes to outlook. However, open views across adjoining land are not, in themselves, protected planning rights.

Where enhanced privacy is desired between properties, this can be achieved through standard boundary treatments, such as residential fencing or planting hedgerows, rather than restricting the legitimate rural use of neighbouring land.

No external lighting is proposed so concerns regarding light pollution appear speculative at this stage and could be addressed by condition.

Issues regarding drainage, odour and general site management can be addressed, where necessary, through appropriate planning conditions and good site management.

In relation to drainage, a properly designed and constructed manage typically includes a permeable sub-base and drainage layers, which can assist with the management of surface water on site. The proposal would not be likely to give rise to increased flood risk.

The applicant's family have 2 aspiring, talented young riders, who we, as a village should be encouraging and embracing. The stables and arena will be a great asset to them, to enable them and help them to pursue their riding careers.

There would not be any noise pollution, horse riding is an enjoyable, calming hobby, not a noisy one.

Horses are sensitive animals and do not respond well to loud or disruptive environments, meaning that activity associated with their care and exercise is naturally quiet and controlled. In this context, the use of the site is unlikely to generate noise levels beyond those typically associated with normal rural activity and would not result in unacceptable harm to residential amenity, as considered under Policy ENV2 (Tranquillity) and Policy CO20.

With regard to references to ridge and furrow, this is a non-designated feature, and the land has already been subject to change over time.

The proposal retains the open character of the field, with continued grazing and additional hedging, and I do not consider that it would result in unacceptable harm to landscape character or heritage significance when assessed against Strategic Policy A and Strategic Policy C (Quality of Place).

The suggestion that this proposal would cause significant noise, loss of privacy, or unacceptable disturbance is simply not credible. Equestrian activity is quiet, low-key, and intermittent. Planning policy does not protect private views or guarantee inactivity of neighbouring land.

Repeated references to private road ownership and access rights are not material planning considerations. They are private legal matters and should be given no weight whatsoever in determining this application.

Speculative objections should be disregarded- i.e. claims relating to lighting, future expansion, and vermin. Planning decisions must be based on what is actually proposed, not hypothetical scenarios.

Agricultural and equestrian activity is part of its fundamental character. Expecting adjacent land to remain permanently quiet, unused, or unchanged is unrealistic and contrary to planning policy.

Last year you approved a stable on the main road past The Crescent which is very visible.

The Brown's planning application is for their children's equestrian hobby and would be visible to very few people. It will be of far superior quality than those nearby. You only

need to look at the quality of the garage the Brown's built last year which is a compliment to the property and the village.

Horses are already a familiar and welcome presence in this area. There have often been horses grazing in this field throughout the year.

Their presence contributes to the rural character of the village and enhances the landscape.

The proposed additions, including appropriate stabling and a well-positioned and shielded arena, are sensible and sympathetic improvements that will not detract from the surrounding area. Instead, they will ensure better care for the animals and more sustainable use of the land.

The plans appear to have taken reasonable steps to minimise possible impact on neighbouring properties, including planting an additional hedgerow to conceal the exercise area.

This is a sensible and modest scheme for a rural setting. The land sits within a village where equestrian use is not unusual, and the proposed facilities seem appropriate for private use rather than anything large-scale or commercial.

A properly laid-out ménage, stable building, access and turning area should make the site easier to maintain and reduce the likelihood of ad hoc arrangements developing over time. In that respect, I see the proposal as an improvement to the way the land is used, rather than an intensification that should cause concern.

The position appears logical; linked to the existing dwelling and contained within the land associated with it, rather than being a separate development placed further out in the countryside. This should help preserve the wider rural feel of the area.

Opportunities that encourage young people to be active, responsible, and connected to the natural environment should be actively encouraged.

Facilities such as this reduce the need for travel to off-site locations, meaning less time spent in cars.

Carlton in Cleveland is a working rural village. Activities such as horse keeping are appropriate and part of that identity. It reflects the kind of community most people would want to live in.

### **Consultation expiry**

20 April 2026

## Background

Box Tree House is a relatively large house located within The Crescent in Carlton in Cleveland. The dwelling and field to the rear are not located within a conservation area, although the northeastern boundary of the application site forms the Conservation Area Boundary.

This application seeks permission for the change of use of the field to the rear of the house from agricultural to equestrian, with the creation of a 60m x 25m manege at the northwest side of the field, along with the erection of a timber building to provide three stables, hay store, and tack room. This building would measure 18.29m long x 7.5m deep with a height to the eaves of 2.3m and to the ridge of 3.7m. The stable building would be located just to the northwestern gable of the recently approved and constructed domestic garage.

The manege would be surfaced with a porous material and be bounded with a timber post and rail fence with a new mixed species native hedging along the southern and eastern boundaries. This stable building would be clad in vertical timber with a dark grey corrugated sheet roof with solar panels on both roof slopes.

The field is accessed from the applicant's domestic driveway on the western side of the house and permission is also sought for the construction of access track/parking/turning area (partly constructed and to allow horse trailer parking) and the retention of four ground source heat pump boreholes (also retrospective).

The eastern boundary of the site would be planted with trees and mixed scrub.

In addition to Box Tree House itself, the rear gardens of 1-5 The Crescent are adjacent to the southern boundary of the application site. The gardens of these houses have low boundary fences/hedging, so the houses and gardens have an open aspect overlooking the field. The rear elevation of these houses is approximately 19-20m away from this boundary.

The proposed manege would be located on the northern half of the field and would measure approximately 45m to northwest of rear garden boundaries of 1-4 The Crescent and over 60m from the rear boundary of no.5.

The stable building would measure between 32m and 41m to the west of the nearest corner of the garden of no. 1 at between 20 and 45-degree angle from the rear boundary of the garden.

The field has previously been used for grazing livestock but more recently has been used for the grazing of horses – currently one horse and two ponies, which is at a level of use on its own that is not considered to comprise a change of use. However, with the addition of the manege and stables within the field, a change of use application is required.

The field immediately to the east is within the Conservation Area and this field and the property known as Garth House are in the applicant's family/company ownership.

Third party comments have made reference to an application for a replacement dwelling at Garth House, but that application is not relevant to the proposal to which this application relates. Third party comments also refer to works to the surface of the field; however, the drainage works/ploughing/harrowing of the field did not require planning permission.

The applicant has submitted the following supporting information in response to consultation comments: -

A 40m x 20m is a standard Novice arena, whereas the applicant is an experienced showjumper, the requested 60m x 25m is standard for showjumping and is considered appropriate and justified in this case due to the intended use and land available.

The increased size supports established training standards, including extended paces and progressive training movements, which require sufficient straight-line distance.

Will serve an important land management function during the winter months - controlled turnout during periods of prolonged wet weather and will help prevent poaching, soil compaction, and long-term degradation of pasture.

In terms of visual impact, the arena will have hedging around it to minimise its presence within the surrounding environment.

Its use will remain private and domestic in nature, with no intention for commercial operation, or increased traffic.

The existing field is currently in agricultural use with horses grazing on it.

Proposal represents a low-intensity, ancillary activity consistent with the rural character of the area and is consistent with other permissions previously granted in the area.

There is a legal access to the field via the road owned by Ravensbower Ltd for which the applicant is a director along with several other members of the Crescent and already keep horses at the property, and a horse trailer is currently stored on site as part of the established residential use. The proposal does not introduce a new activity but instead provides an on-site facility.

Vehicle movements are already established and limited and will reduce as we will not be required to travel twice a day to feed horses when they are stabled offsite.

The field does not exhibit clearly defined or well-preserved ridge and furrow patterns that would typically be associated with a non-designated heritage asset of notable significance. They have been substantially diminished through historic agricultural use and ongoing field management prior to our acquisition.

It is worth noting that all of the Crescent properties backing onto the field have been built on Ridge and Furrow land and have benefitted from turning this land into domestic use.

Purchased the field in 2022 when it had been neglected and left to go wild for many years. It was severely waterlogged which affected the surrounding properties gardens

and bull rush reeds and thistles had progressively been allowed to flourish covering most of the field and there was very little grass to graze on; all the fences were damaged, and the hedges were either dead or had grown into trees; the field was not stock proof.

A local farmer returned the field to a usable condition. We then installed land drains, which involved digging a trench installing a perforated pipe and backing filling with the same material, the field was then harrowed (not ploughed) and reseeded.

Following the installation of the field drains we replaced fences and planted a mixed hedge around the perimeter of the field including behind the Crescent properties, in an attempt to offer the households and us some privacy. Our plan was to eventually make this a layered hedge which is stock proof, however it has not been allowed to grow. One of the residents left the hedge to grow and it is now becoming established and at head height, the other two have been persistently cutting it down to knee high and one disposes garden waste on top of it.

The proposed stables are situated out of view from any neighbours and are only visible if they stand at the end of their gardens and look left. The menage is a ground-level facility, with no built structures or elevated platforms that would give rise to overlooking.

The importance of protecting Alum Beck is fully acknowledged. The field has already benefited from drainage improvements. The proposed menage will incorporate a permeable surface and be a free-draining sub-base. There will be no direct discharge to Alum Beck, and surface water will be managed within the site.

Manure will be disposed of in a muck trailer and transported offsite to a local farm where it will be used as fertiliser. This will be a high sided trailer.

We have purposefully not installed lighting to the menage in order to respect neighbouring properties and avoid light pollution.

Planning Application NYM/2025/0407 is for 'Erection of stable block and use of land for equestrian purposes. It is on a patch of land which was previously agricultural Ridge and Furrow located less than 100m from our planning application site. There were no comments on this application, and it was approved without objection in October 2025.

In our opinion the neighbouring objections are to do with the loss of a view and privacy which has resulted in a personal campaign to reject the application.

## **Main issues**

### **Local Plan**

The most relevant NYM Local Plan Policies to consider with this application are **Strategic Policies A, C and I and Policy's ENV2, ENV4, ENV5, ENV8, ENV9, ENV11, CO2 and CO20.**

**Strategic Policy A (National Park Purposes)** seeks to take a positive approach to new development, in line with the presumption in favour of sustainable development and where decisions are consistent with National Park statutory purposes:

It goes on to state that where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife, and cultural heritage of the National Park.

**Strategic Policy C (Design)** seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design; incorporates good quality construction materials; the siting, orientation, layout and density complement existing buildings; the scale, height, massing and form are compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers; there is a good quality landscaping and planting scheme; local wildlife and biodiversity is enhanced; provision is made for adequate storage, cycling facilities and car parking are provided and the proposal ensures the creation of an accessible, safe and secure environment for all potential users.

**Strategic Policy I (The Historic Environment)** seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

**Policy CO2 (Highways)** only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.

**Policy CO20 (Equestrian Development for Private Use)** seeks to permit development such as stables, outdoor exercise arenas and permanent field shelters only where there is no unacceptable impact on the local landscape character or the special qualities of the National Park; any new stables, yard areas and facilities are closely associated with existing buildings and are not prominent in the landscape; the scale of any new structures is appropriate; the development does not harm the amenities of neighbouring occupiers; lighting is discreet in order to minimise light pollution; and there is adequate space for parking and access.

**Policy ENV2 (Tranquillity)** seeks to ensure tranquillity will be maintained and enhanced through only permitting development proposals where there is no unacceptable impact on the tranquillity of the surrounding area in relation to visual intrusion; noise; activity levels; and traffic generation.

**Policy ENV4 (Dark Night Skies)** seeks to ensure that the darkness of the night skies above the National Park are maintained and enhanced and requires that all development will be expected to minimise light spillage through good design and lighting management.

**Policy ENV5 (Flood Risk)** states that new development will only be permitted where it meets the sequential approach to development in areas of flood risk; and does not increase the risk of flooding elsewhere.

**Policy ENV8 (Renewable Energy)** encourages the provision of renewable energy, requiring new development in the National Park to address the causes of climate change by generating energy from renewable sources where these are of a size, location and design appropriate to the locality and which contribute towards meeting domestic, community, or business energy needs within the National Park

**Policy ENV9 (Historic Landscape Assets)** – this requires that development affecting historic landscape assets of the North York Moors will be required to conserve and, where appropriate, enhance its landscape quality and character by taking into consideration the elements which contribute to its significance and, where relevant, the public’s experience of it. Such assets include the layout of traditional farmsteads and their relationship with the surrounding agricultural landscape and Ridge and furrow and other evidence of past field systems and farming practices.

**Policy ENV11 (Historic Settlements and Built Heritage)** This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance.

### **Material considerations**

#### **Potential impact on residential amenity**

It is acknowledged that at present, the properties that back onto the field enjoy an open outlook, as they do not have high rear boundary fences or hedging, so they look out across the application field and would see the post and rail fencing, hedging and activity on the horse manege, as well as horses grazing or being ridden in the field. There would also be a very oblique view of the stables.

However, there is no legal right to a view from a private dwelling and the potential impacts of a proposed development on private views is not a planning consideration. Even if a new development significantly changes a view from a private property, a planning permission cannot be refused on those grounds. However, impact on residential amenity resulting from significant loss of light, overbearing structures or excessive noise and activity levels can be considered.

In terms of the scale and nature of the development and its impact on neighbours, the stable building would be located immediately to the rear of the applicant’s rear garden, not the neighbours and would be at least 30m from the corner of the nearest neighbours garden; and then would only be visible when standing at the rear boundary fence. The stable building would therefore not have an overbearing impact on neighbouring residential amenity.

The manege would cover a large area, however, no change in ground levels is proposed and the rear gardens are at the same ground level as the field. Furthermore, the manege would be bounded by post and rail fencing and a mixed species hedge, which would screen the manege from view. No lighting is proposed. At a distance of at least 45m to the northeast, the manege would not have an overbearing impact or be visually intrusive on neighbouring amenity.

### **Impact of change of use on activity levels**

The proposal is to provide three stables to keep horses for private domestic use only. The use of the field for grazing horses and the use of the manege is also for private use only, associated with the host dwelling at Box Tree House. It is considered that such a level of use would not result in levels of activity that would have an unacceptable impact on the residential amenities of nearby residents.

The land use is currently agricultural. Whilst it has previously been used for low level grazing of sheep, it could also be used for grazing cattle or other livestock, crops, or horticultural purposes, all of which would be likely to result in greater levels of activity (including machinery and other human activity) than the proposed use. It is considered that the use of the field for the grazing or riding of horses would not result in an unacceptable loss of privacy or noise and disturbance.

### **Impact on Historic Environment**

The proposed site is on the outside edge of the Carlton in Cleveland Conservation Area. However, the Authority's Building Conservation Officer has been consulted and has visited the site with the Authority's Archaeologist.

The site itself is set back from the road by a small cul-de-sac development of 20th century dwellings and is well screened with existing trees and vegetation. It is therefore considered that the development will not cause harm to the setting or significance of the Conservation Area under Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Chapter 16 of the NPPF paragraphs, 202, 208, 210, 212 and 216.

However, it is considered that in order to preserve the setting of any of the historic buildings in the Conservation Area and adhere to Policy ENV11 of the NYMNPALocal Plan, lighting should be strictly conditioned to prevent any backlighting of the Conservation Area.

The LiDAR Images show a faint outline of ridge and furrow in the field; however, the field has been recently ploughed. The area where the stables and manege are proposed has no ridge and furrow that will be affected. There is still a very faint outline of ridge and furrow to the centre of the field which will not be affected by the proposal.

The Building Conservation Officer has no objections as no harm will result to the Conservation Area or its setting from the proposal.

Comparisons have been drawn by third parties, about a refusal for the Listed Building consent for the construction of a two storey and two single storey rear extensions and internal alterations to dwelling, erection of detached garage block and stable block together with change of use of land to create a manege at Beech House, Carlton (NYM/2017/0495).

This application was refused for a number of reasons, partly related to works to the Listed Building but also: -

The proposed stable blocks, size, position, and materials would represent a substantial building beyond the domestic curtilage of the listed building. Its location fails to respect the setting of the Conservation Area by destroying a section of ridge and furrow and extending the domestic curtilage out into a medieval field pattern. Together with the arena and proposed stabling would have an unacceptable domesticating impact on the setting of the Conservation Area and setting of the Listed Building.

The cumulative impact of the external alterations, garage block, stable block, arena and extension of the domestic curtilage proposed would cause significant harm to the setting of the Listed Building, Conservation Area and the Non-designated Heritage Asset of the ridge and furrow field pattern, which would result in an adverse impact on the Character of the historic landscape as a whole.

There are, however, fundamental differences between the two applications which are firstly that the current application site is not part of or near a Listed Building to affect the setting of any Listed Building. Secondly, walking around the Conservation Area it is difficult to see the application site from any view lines from the street or within the public areas of the Conservation Area. It is screened by existing development, and mature vegetation.

In terms of ridge and furrow, the distinct pattern of ridge and furrow and Medieval crofts and tofts is strong within the heart of the village around existing historic buildings. Beech House still retains its long linear field pattern and its distinct relationship with its toft, which is why this formed part of the Listed Building application refusal.

The field in question behind Box Tree House is not attached to any historic building (not a croft and toft) and has a very faint outline of Ridge and Furrow from previous ploughing of the field. This small part of existing Ridge and Furrow will not be affected by this proposal of a stable block and manege. The Ridge and Furrow at Beech House was very prominent and would have been directly affected by the previous proposed development as well as affecting the setting of the Listed Building and the buildings relationship with its toft, thus affecting the Medieval Field Layout system and therefore the planned historic form of the village and affecting the Conservation Area. This is not the case in this particular location at Box Tree House, with the building being a late 20th century development.

### **Ecology**

The Authority's Ecologist has reviewed the information submitted with this application and is satisfied that there is sufficient information to satisfy Bio-Diversity Net Gain requirements and has raised no concerns regarding other ecological issues.

### **Access**

Use of a private access is a private legal matter. If the applicant is unable to access the field with a horse box, that will restrict how the field is used. However, that is not a reason for refusal.

The Highway Authority has advised that the access from the main road into and out of The Crescent has adequate sight lines and has no objections.

### **Conclusion**

Whilst a number of objections have been received in relation to this proposal, it is considered that the development would not have an unacceptable impact on residential amenity, through activity levels, visual impact, or loss of privacy. Furthermore, the proposal is not considered to have a harmful impact on the setting of the Conservation Area or protected heritage assets.

Other issues such as level of use and lighting can be satisfactorily controlled by conditions.

The proposal is therefore considered to be in accordance with the Policies outlined above, and consequently, approval is recommended.

### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Pre-commencement conditions**

Condition 12 is a pre-commencement condition and has been agreed by the applicant.

### **Contribution to Management Plan objectives**

Approval is considered likely to help meet Outcomes 04 and 06 which seek to ensure the National Park is a place that lifts health and wellbeing, and a place where communities can thrive.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework

# North York Moors National Park Authority

## Plans list item 4

### Planning Committee

**Application reference number:** NYM/2026/0001

**Development description:** construction of part single and two storey rear extension, removal of shed and reinstatement of pedestrian access, provision of rear vehicular access and parking together with extension of terrace (revised scheme following withdrawal of NYM/2024/0117)

**Site address:** Holly House, Carlton In Cleveland

**Parish:** Carlton

**Case officer:** Jill Bastow

**Applicant:** Mr J Howell

**Agent:** Cheryl Farrow

### Director of Planning's Recommendation

Approval subject to the following:

#### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Date Received
Proposed Site Layout	D421008/05 A	2 Jan 2026
Proposed Ground Floor Site Plan	D421008/06 A	2 Jan 2026
Proposed Ground Floor Plan	D421008/07 A	2 Jan 2026
Proposed First Floor Plan	D421008/08 A	2 Jan 2026
Proposed Elevations	D421008/09 A	2 Jan 2026
Elevation/Site Section	D421008/11	2 Jan 2026
- 3 All new external materials used in the development hereby permitted shall match that of the existing building including the colour, texture, and finish and where these include stone, the method of coursing and pointing.
- 4 All new external doors, door frames, window frames, and glazing bars shall be of timber construction, and no other materials shall be used.
- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re-enacting that Order), no further extensions to the property known as Holly House shall

take place without a further grant of planning permission being obtained from the Local Planning Authority.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no windows other than those expressly authorised by this permission shall be inserted in the north elevation of the two-storey extension hereby permitted.

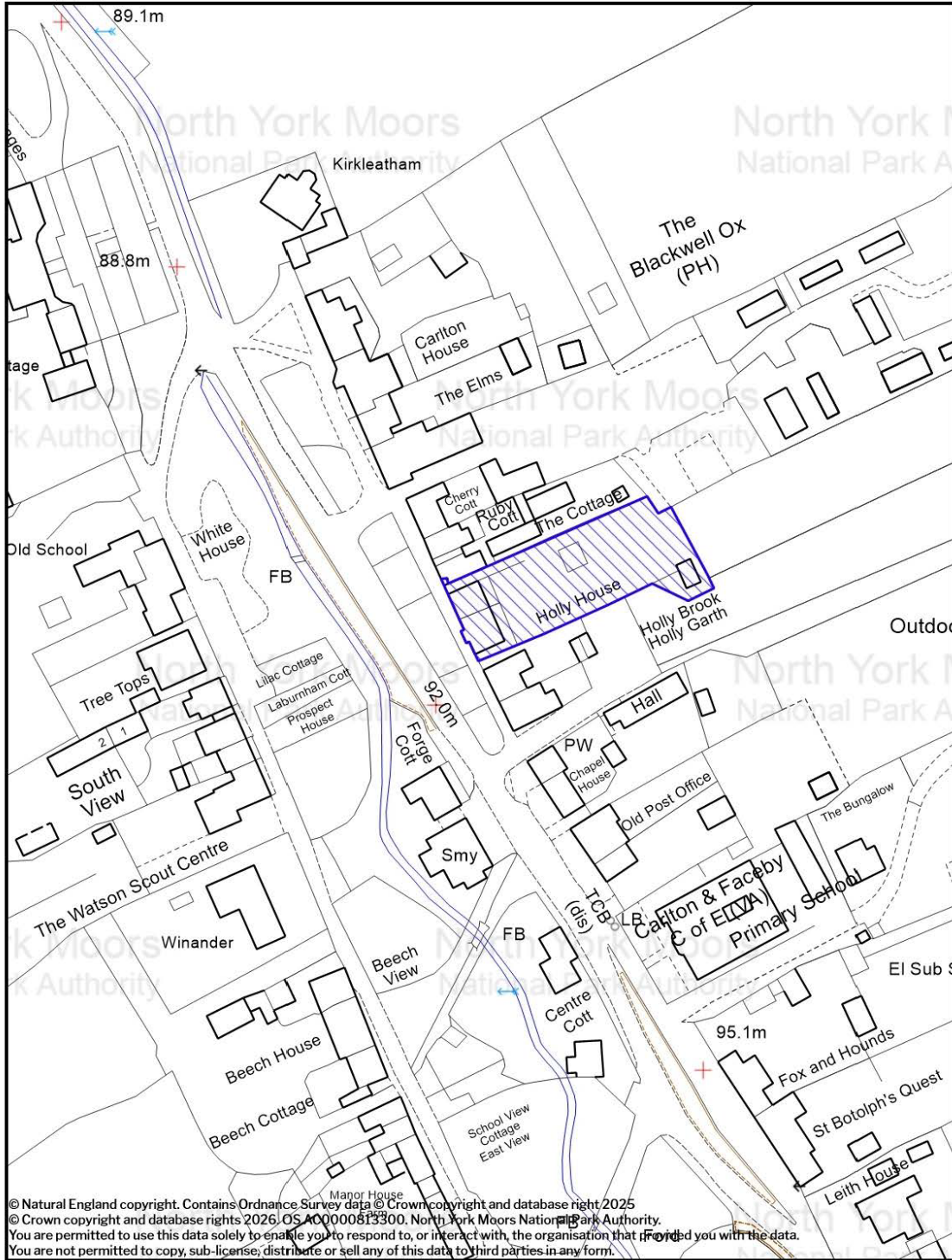
Map showing application site



**North York Moors National Park**

Application Number: NYM/2026/0001

Scale: 1:1250



**The rear elevation of Holly House showing the relationship to the neighbouring properties to either side. The proposed single storey flat roof extension would extend the full width of the property whereas the two-storey extension would be confined to the right-hand side, between the water tabling and the brick chimney stack, with a significantly lower ridge height than the main roof.**



## Consultation responses

### Parish

Object on the grounds the proposal appeared to be overdevelopment for the site considering the properties either side. Also comment that a site notice wasn't posted and that the rear of the property is clearly in sight of the footpath up the access drive and across the field at the rear.

### Highways

No objection but seeks clarification regarding the proposed changes to the vehicle access arrangements outside the curtilage on the private drive between the site and the public highway which may have an impact on the parking available to neighbouring properties.

### Ramblers Association

No objection

### Environmental Health

No objection

## Third party responses

**Mr Steven Wilson, Holly Brook House, Carlton in Cleveland** – Makes the following comments:

Will trees be removed when rear access location changes?

Will the proposed works affect existing car park arrangements?

The rear extension will have an impact on properties north of Holly House: light quality and the wonderful view of the hills to the south.

Will the pond in the rear garden be filled in? Would this have an impact on wildlife?

There is a known flooding problem at the rear of Holly House. Will the new parking arrangements cause more issues?

## Consultation expiry

23 March 2026

## Background

Holly House occupies an elevated position set back from the main road through the village of Carlton in Cleveland behind a substantial front garden. Formally two smaller cottages (evidenced by the stone water tabling and chimney stack in the middle of main roof and the use of slate and pantile to either side) it is now a detached family dwelling. The front elevation is constructed of coursed stone whereas the rear elevation is of handmade brick. It is not a listed building, but it does lie within the Conservation Area.

Planning permission is sought for a part single and part two storey extension to the rear although the agent has indicated the single storey element could be carried out under permitted development. In addition, the application proposes the repositioning of the entrance gates to the rear to allow a turning space and parking to be provided within the curtilage. Finally, there is a timber shed located to the north of the property currently blocking the side access way which it is proposed to remove.

## Main issues

### Local Plan

The most relevant policies of the adopted Local Plan are **Strategic Policy C (Quality and Design of Development)**, **Strategic Policy I (The Historic Environment)**, **Policy ENV11 (Historic Settlements and Built Heritage)** and **Policy CO17 (Householder Development)**.

**Strategic Policy C** seeks to maintain and enhance the distinctive character of the National Park with a set of detailed criteria to be complied with. It requires proposals to be of a high-quality design that will make a positive contribution to the local environment and to incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

**Strategic Policy I** requires all development proposals to make a positive contribution to the cultural heritage and local distinctiveness of the National Park. Development proposals are required to conserve heritage assets and their setting in a manner appropriate to their significance.

**Policy ENV11** requires development proposals affecting the built heritage of the North York Moors to reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials, and construction. High standards of design will be expected to conserve and enhance the built heritage, settlement layouts, and distinctive historic, cultural, and architectural features.

**Policy CO17** supports proposals for extensions to dwellings where the scale, height, form, position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape; the development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and the development reflects the principles outlined in the Authority's Design Guide. It continues to require extensions to

be clearly subservient to the main part of the building and not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension.

Part 2 of the Authority's adopted Design Guide (Extensions and Alterations to Dwellings) states that although rear extensions may have less impact on the streetscene, care must be taken to ensure that the host building remains the dominant form and that the mass of the extension does not adversely impact on the space about the dwelling or neighbouring properties and advises that large flat-roofed extensions can dominate the original building resulting in a loss to its form and character.

### **Principle**

With regard to the 30% threshold as set out in Policy CO17, and in line with the Householder Extensions Planning Advice Note, the existing habitable floorspace of the main domestic dwelling has been calculated based on the extent of the main domestic dwelling as it was on 1 July 1948. Based on the existing floor plans the internal habitable floorspace of the original dwelling extends to approx. 247.2 sq.m. The floorspace of the proposed extensions amount to 69.7 sq.m. As such the total increase in floorspace equates to a 28.2% increase and in accordance with Policy CO17.

### **Design/impact on Conservation Area**

In terms of the scale, form, position, design and choice of materials, whilst the Design Guide advises against large flat-roofed extensions, in this case the proposal combines contemporary single storey flat roof extensions with a more traditional two storey pitched roof extension that are considered to complement the host property.

The more traditionally designed two storey ridge and gable extension perpendicular to the main roof would be built in stone to match the host property under a slate roof. This would be flanked to either side by more contemporary designed single storey flat roof extensions. To the south the extension would be substantially glazed within an oak frame under a zinc roof to provide hall and sitting room; to the north the utility/boot room extension would be constructed in stone with oak boarding, again under a zinc roof.

The proposed building materials of oak cladding, glazing and zinc roofing, differentiate the different extensions from each other and also the host building yet in complementary manner.

Furthermore, the flat roof design minimises the impact of the extensions on the upper floors of the property, ensuring much of the original stonework is retained and consequently its overall form and character and is considered to be of a scale acceptable for a property of this size. The two-storey extension has a much narrower gable than the host property resulting in a lower ridge ensuring this element of the proposal, despite being two storeys, is also subservient to the host property.

As the front elevation of the property is to remain unaltered, it is considered that the proposal would not significantly affect features of historical interest of the host property or its setting in the wider conservation area.

## **Impact on residential amenity**

Whilst there are neighbouring properties to either side, it is considered that the proposed extensions would not adversely impact on the amenities presently enjoyed by the occupiers of those properties.

The property to the south (Holly Brook) has a two-storey rear extension and the proposed single storey extension would only extend 1 metre further east beyond that gable. Furthermore, there is 4.8 metres between the two properties and a mature boundary hedge.

To the north there is the neighbouring property that fronts onto the main road (The Cottage) and also a further property set behind that (Hill View) orientated perpendicular to those frontage properties with windows facing south overlooking the application site.

The proposed extension would not project in front of Hill View, which is well screened by mature shrubs.

The Cottage is a smaller property with a much smaller curtilage than Holly House. However, the properties are separated by the side passageway of 2.4 metres. The proposed porch extends out by 3.2 metres and being single storey is unlikely to adversely impact on their residential amenity. Furthermore, although the two-storey extension will project out by 4.8 metres, it will be some 5.3 metres to the south of The Cottage and as such is unlikely to result in any notable loss of light or overshadowing of that neighbour.

In response to some of the comments made by the neighbour, the additional vehicle parking/turning area will necessitate the loss of some mature garden shrubs and ornamental trees, and it is likely that the garden pond will need to be infilled. However, it is considered that this will not have an adverse impact on the biodiversity of the area. Any potential flooding problem to the rear of Holly House will be a result of surface water run-off and the proposed extension will be required to provide adequate drainage under building regulations.

## **Highway issues**

With regard to the Highway Authority comments, it is noted that they have no objection to the proposed extensions or to the repositioning of the entrance gates to the rear and the creation of a parking/turning space. However, they seek clarification of the suggested realignment of the access drive to the south over land seemingly outside the applicant's ownership and which could affect the parking available to neighbouring properties. The agent has been asked to comment on this matter and Members will be updated at the meeting. However, the right of access for the applicant over the neighbouring land and the route taken is a private civil matter between the parties concerned.

## **Conclusion**

In view of the above it is considered that the proposal is of an appropriate scale and design that would complement the form and character of the host property without

having an adverse impact on the character or appearance of the conservation area or the amenities of the occupiers of neighbouring residential properties. As such it accords with Strategic Policy C, Strategic Policy I, Policy ENV11 and Policy CO17 and approval is recommended.

### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Contribution to Management Plan objectives**

Approval is considered likely to help meet Outcome 3 and Objective 11 which seek to provide a landscape rich in heritage and conserve and enhance the historic environment.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

# North York Moors National Park Authority

## Plans list item 5

### Planning Committee report

**Application reference number:** NYM/2026/0063

**Development description:** use of land for the siting one camping pod for holiday letting purposes (relocated from approved scheme NYM/2021/0747/FL)

**Site address:** Lawns Farm, Barry Bank, Ugthorpe

**Parish:** Ugthorpe

**Case officer:** Jill Bastow

**Applicant:** Mr S and Mrs L Brown

**Agent:** Cheryl Farrow

## Director of Planning's Recommendation

Reason(s) for refusal

- 1 The Local Planning Authority considers that in the proposed location, beyond the main built-up confines of the village, the camping pod would appear as an incongruous and prominent addition which would be an intrusion into what is currently an undeveloped field and open countryside owing to the lack of established screening. As such the proposal represents a form of sporadic development in the open countryside which would detract from the character and visual attractiveness of the area contrary to Strategic Policy C, Strategic Policy G, Strategic Policy J and Policy UE2 of the North York Moors Local Plan.

Red/blue line map showing the location of the proposal



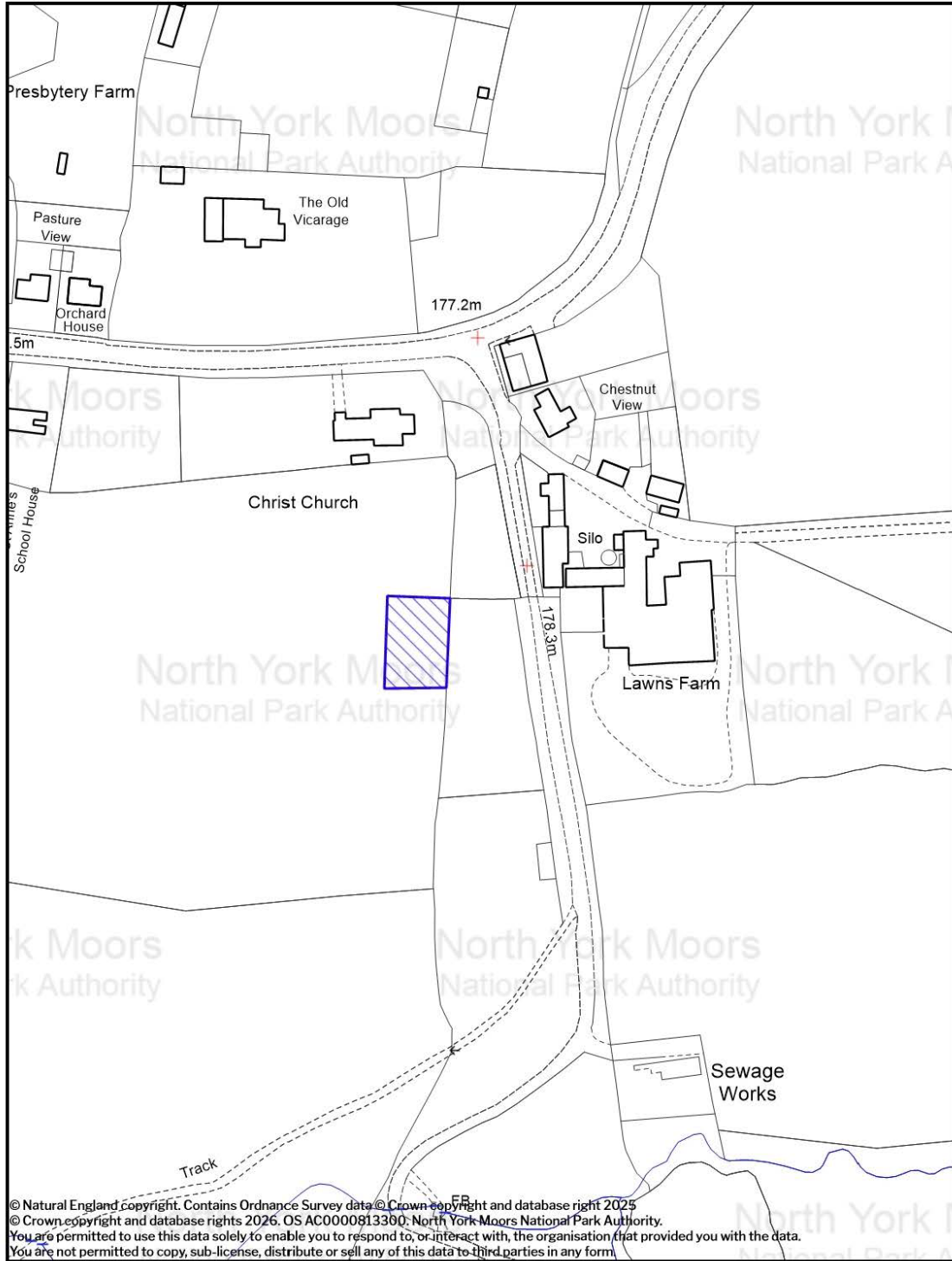
# Map showing the location of the proposal



**North York Moors  
National Park**

Application Number: NYM/2026/0063

Scale: 1:1500



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**Photo showing the view from the church yard to Christ Church of the existing camping pod and the proposed location of the second pod within the field against the boundary hedge to the right.**



**Photo showing the view of the existing camping pod within The Garth where there is an extant permission for a second camping pod.**



## Consultation responses

### Parish

Support as this amendment is an improved location.

### Highways

No objection.

### Environmental Health

No recommendation or comment to make.

## Third party responses

### **Patricia Walker, Mark Walker and Michael White, Lawns Farm Cottage, Ugthorpe -**

Supports the application. The applicants are entirely committed to the local farming community and have brought people to the village who are enjoying the National Park and spending money locally whilst diversifying the family farm. The existing pod is quiet and has brought new visitors to the local churches and also the surrounding pubs, cafes, and restaurants.

**Mags Purnell, 7 South Avenue, Scalby, Scarborough -** Supports the application. The applicants have continued to diversify to generate further income with the glamping pod, which has been such a success. It enables people to enjoy the countryside and appreciate the hard work that comes with farming.

**Miss Ann-Marie Jefferson, Croftwell, Ugthorpe –** Supports the application. The new location will benefit the dark skies at night and allow visitors to access the beautiful North York Moors footpaths whilst generating money for local businesses and helping farmers diversify.

**Claire Summerson, Bog House Farm, Mickleby -** Supports the application. The applicants are active members of the village community and a hard-working couple who are always conscientious in all their undertakings. They have thought carefully about this project both as an opportunity for diversification and the positive impacts it could have in the village.

This venture is small and unobtrusive dealing with a small number of people and a low number of vehicles. The vehicles would be parked off road causing no highway restrictions. It would increase trade in the local pub with it being an easy pleasant 10 min walk away.

The pods themselves are of a tasteful wooden construction allowing them to be in keeping with their surroundings and there are hedgerows and trees providing natural screening.

## Consultation expiry

20 March 2026

## Background

Lawns Farm is situated on Barry Bank, at the eastern end of the village of Ugthorpe. The site comprises both traditional and modern agricultural buildings, as well as the main farmhouse which is of stone and slate construction. The site has a limited planning history, however in 2005 planning permission was granted to convert an adjoining barn into a dwelling. This permission was implemented, and the barn conversion is now in separate ownership to Lawns Farm.

The applicants live at Presbytery Farm, which is in a central location off Ugthorpe main street, but they also own a number of parcels of land in the village. One of these pieces of land, known as The Garth, sits opposite Lawns Farm and Lawns Farm Cottage on the west side of Barry Bank Road. Planning permission was granted in March 2022 (NYM/2021/0747/FL) for the siting of 2 no. camping pods on this piece of land for the purposes of holiday letting accommodation.

Originally that application sought permission to site 1 no. camping pod on a parcel of land on the corner east of Christ Church and 2 no. camping pods on a small parcel of land east of a dwelling known as Chestnut View. However, those locations were not considered to be policy compliant, and the applicant was advised to relocate the proposed holiday letting units to the land opposite (west of) Lawns Farm, The Garth.

The agent advises that only one of the camping pods has been installed for fear of the site becoming overcrowded and potentially having an adverse impact on the nearby trees. Other positions within The Garth were eliminated during the course of the original application due to the potential adverse impact on the trees that afforded the requisite screening.

As such this application proposes to the siting of a camping pod in the field immediately to the west of the approved site. The agent has confirmed that access to the pod from the highway would be on foot only and there would be no vehicular access across the field, and that a small area of land would be fenced off around the pod to protect the unit from grazing livestock. This would be planted with a native hedge along with two mature cherry blossom trees to provide screening.

In addition, the agent has indicated that the applicant would be willing to position the pod anywhere along the boundary to The Garth, provided that it avoids the root protection area of the large tree.

## Main issues

### Local Plan

The most relevant policies of the Local Plan in the determination of this application are **Strategic Policy C (Quality and Design of Development), Strategic Policy G (Landscape), Strategic Policy J (Tourism and Recreation), and Policy UE2 (Camping, Glamping, Caravans, and Cabins).**

**Strategic Policy C** relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances

the distinctive character of the National Park through appropriate siting, orientation, layout, and density together with carefully considered scale, height, massing, and form. Proposals are required to incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

**Strategic Policy G** relates specifically to the landscape and gives weight to the landscape impact of proposals and seeks control the location, scale, and detailed design of any proposal to ensure the scheme respects and enhances the local landscape character type.

**Strategic Policy J** relates to tourism and recreation and seeks to support such development where it is consistent with the principles of sustainable tourism; does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

**Policy UE2** relates specifically to proposals for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) and requires these to be within the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B (Ugthorpe is listed as a smaller village) and in close proximity to an existing residential unit which will be used to manage the accommodation. Where a proposal falls within Open Countryside, it should not be isolated from an existing business or residential unit which will be used to manage the accommodation. In order to respect the sensitivity of the local landscape, sites must be screened by existing topography, buildings, or well-established vegetation within the applicant's control. The development must not cause unacceptable harm in terms of noise and activity on the immediate area or detract from the character, tranquillity, or visual attractiveness of the area and the accommodation should be of a high-quality design which complements its surroundings.

### **Material considerations**

The intention of Policy UE2 is to allow for small scale and sensitively designed holiday accommodation in locations where they are not visually intrusive, to support local businesses in diversifying and allow people to enjoy the special qualities of the National Park.

It is noted from the agent's supporting statement that the applicants have chosen not to install the approved second camping pod within The Garth so as to avoid overcrowding for guests (as approved the pods would be sited immediately adjacent each other) and that any other location within The Garth has potential to harm the mature trees about the site.

The Garth offers a variety of mature trees and hedging along the southern and western boundaries, which help to soften any visual impact of the existing camping pod in the wider landscape setting, although it is still readily apparent from the village main street. As part of the previous approval the applicants agreed to the long-term maintenance of the existing screening, as well as a planting scheme to reinforce the north and east boundary to minimise the wider visual impact of the development.

By contrast the proposed site for the second camping pod, outside the confines of The Garth and in the adjacent field, offers little or no screening to the north, south or west with only the mature field hedge to the eastern boundary. In this location, which is not considered to fall within the main built-up area of Ugthorpe either visually or physically, the camping pod would be highly prominent in views from the village, in particular the grounds to Christ Church. It is considered therefore that the camping pod will appear incongruous in the landscape, randomly sited in the large field with no anchor in the wider landscape other than the eastern field boundary, unlike the existing camping pod which has the benefit of being viewed within the boundaries of The Garth and in context of the buildings of Lawns Farm beyond. The proposal therefore represents a form of sporadic development in the open countryside which the policies of the Local Plan seek to resist in order to protect the National Park from inappropriate development.

In addressing Officers concerns, the agent has offered to enclose a longer strip of the field with a double fence planted with native hedging along with the planting of 5 no. Oak trees within the field to the west to help screen the proposal. However, it is considered that this would provide little or no screening of the pod for many years, possibly not even before the life-expectancy of the pod itself had expired. Furthermore, the suggestion would only draw attention to the proposed development, appearing as a linear leisure plot on the edge of the village. It would not square or round off an irregular field boundary but instead would appear as an alien intrusion into the field, of domestic rather than agricultural character. Policy UE2 also requires sites to have existing screening either through topography, buildings, or well-established vegetation and in this respect the proposal is clearly not policy compliant.

Finally, whilst all cases are dealt with on their own merits, should approval be granted for one pod in this larger fenced strip, it would be much harder for the Authority to resist further pods in this area which cumulatively would have a significantly detrimental impact on the landscape setting of the village.

Members are advised that Officers have met on site with the applicant to try and secure a location for the proposed pod that complies with Policy UE2 but have been unable to find an alternative that does not involve either compromising the setting of Christ Church as a non-designated heritage asset or access through the farmyard which presents problems in terms of the safety of guests within a working farm.

In terms of the other criteria of policy UE2, whilst Lawns Farm is owned by the applicants, they do not reside at the property but at Presbytery Farm which is within walking distance of the site. As such the proposed camping pod could be effectively managed so that should any issues of noise and activity adversely impact on the locality, they can be

quickly addressed. Furthermore, the pod is considered to be of quality design that reflect the approved pod.

In conclusion therefore it is considered that in the proposed location, owing to the lack of established screening, the camping pod would be unduly prominent in the wider landscape such that it would detract from the character and visual attractiveness of the area contrary to Strategic Policy C, Strategic Policy G, Strategic Policy J and Policy UE2 and refusal is recommended.

### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and determining the application within a timely manner, clearly setting out the reason(s) for refusal, allowing the Applicant the opportunity to consider the harm caused and whether or not it can be remedied by a revision to the proposal.

# North York Moors National Park Authority

## Plans list item 6

### Planning Committee

**Application reference number:** NYM/2021/0320/FL

**Development description:** revised scheme to NYM/2014/0149/FL to allow outside seating area and change of opening hours together with erection of pergola to provide covered outdoor seating area and siting of chiller unit with timber screen (part retrospective)

**Site address:** 18 Bridge Street, Helmsley

**Parish:** Helmsley

**Case officer:** Jill Bastow

**Applicant:** Helmsley Brewing Company

## Director of Planning's Recommendation

Approval subject to the following

### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Date Received
Proposed Turning Area	N83 089-02 A	29 April 2026
Location Plan		23 April 2021
- 3 The brewery, shop and bar shall not to be open to customers outside the hours of 09:00 to 23:00 Mondays to Saturdays and 10:00 to 22:00 Sundays and Bank Holidays and the outside seating area shall not to be open to customers outside the hours of 09:00 to 21:00 Mondays to Saturdays, 10:00 to 21:00 Sundays and Bank Holidays.
- 4 There shall be no live, amplified, pre-recorded or other music played in the outside seating area hereby permitted.
- 5 The outside seating area shall be confined to that marked on the drawing titled Proposed Turning Area N83 089-02 A received on 29 April 2026.
- 6 No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
- 7 The vehicle turning area shown on the drawing title Proposed Turning Area N83 089-02 A received on 29 April 2026 must be maintained clear of any obstruction and retained for its intended purpose at all times.

- 8 No deliveries to or from the site premises shall take place outside of the hours of 07:00 to 19:00 on weekdays and Saturdays and not at any time on Sundays or Bank Holidays.
- 9 Within six months of the date of this decision, an acoustic assessment shall be submitted to and approved in writing by the Local Planning Authority.

The acoustic assessment shall be undertaken by a suitably qualified acoustic consultant and shall assess noise emissions from the chiller unit (and any associated or cumulative plant), having regard to:

- LAeq and LAmax noise levels;
- Any tonal, impulsive, or intermittent characteristics.
- The proximity of nearby noise sensitive receptors, including habitable rooms of residential dwellings; and
- Measured background noise levels, with consideration given to evening and night time periods.

The assessment shall demonstrate compliance with BS 4142:2014 + A1:2019 (or any subsequent revision) and shall demonstrate that the BS 4142 rating level does not exceed the representative background sound level (LA90) at the nearest noise sensitive receptor.

Any mitigation measures identified and approved, including acoustic screening or enclosures, shall be implemented in full and shall be retained and maintained thereafter for the lifetime of the development.

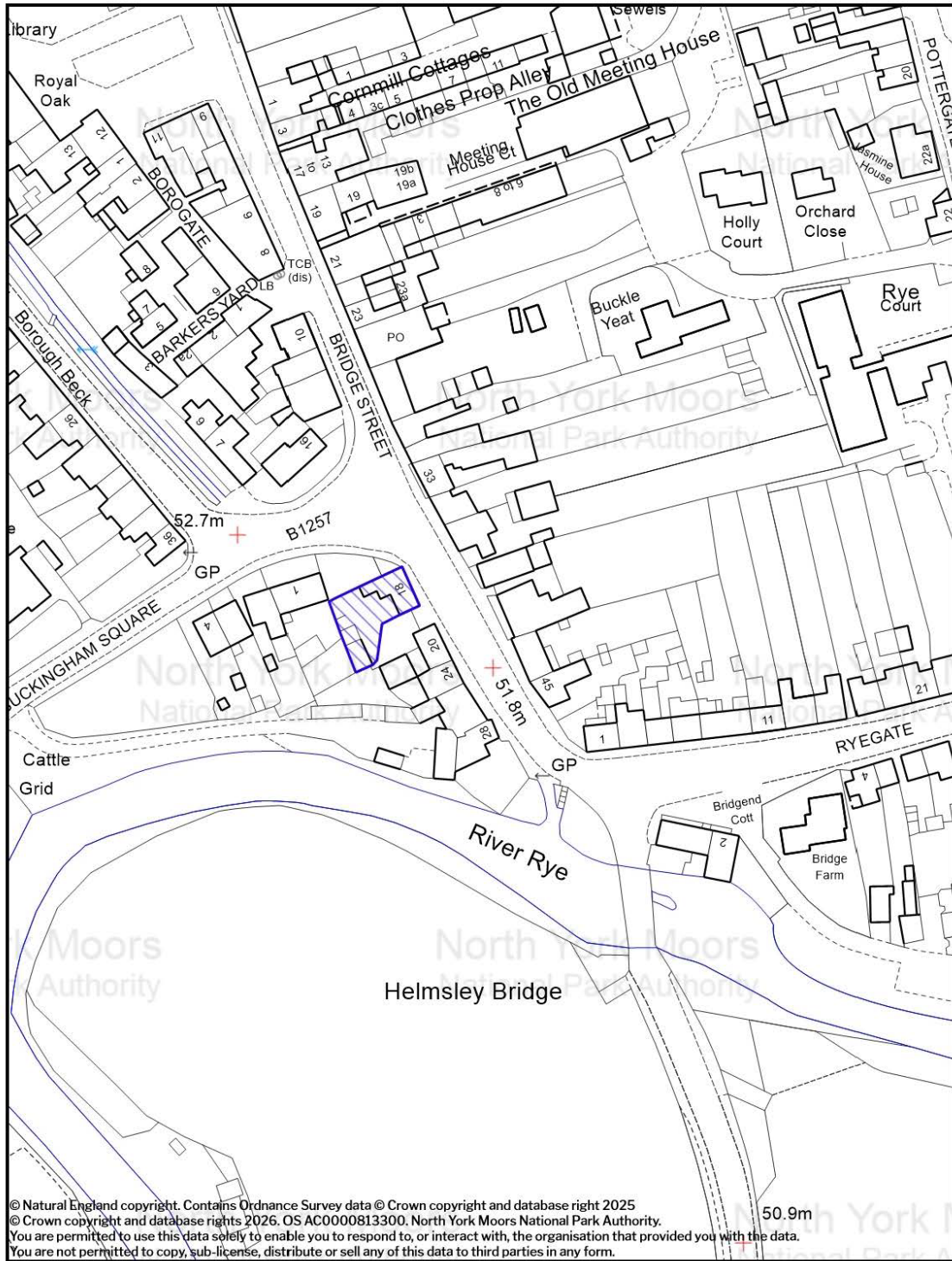
# Map showing application site



**North York Moors  
National Park**

Application Number: NYM/2021/0320/FL

Scale: 1:1250



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**View of the rear of Helmsley Brewery with the shared access, turning space and outside seating area with pergola**



**View of the outbuildings to the rear of Helmsley Brewery with the shared access, turning space and outside seating area with pergola**



**View of the private lock-up garages which share the access with Helmsley Brewery from the outside seating area**



## Consultation responses

### Town Council

Support subject to the following:

- the premises is operating legally with the correct and up-to-date licences in place
- 9pm outside closing
- no outside music
- access to the garages is kept clear at all times
- a turning area is provided for the business & the garages & that it is kept clear at all times.

The outside closing time and noise levels are important considerations for a business in a residential area and although access rights/obstructions are a civil matter, it should be an important consideration for the licencing and planning authorities that the business operates reasonably and with consideration for its residential and other neighbours.

Reassurance is requested that neighbours to this and other planning applications are being consulted in a proper and timely manner as required by law.

### Highways

No objection.

The pergola is in the location that was originally agreed to cater for three parking spaces for the business. The shared access has very limited driver to pedestrian visibility and therefore the removal of the parking spaces would be welcomed as this is likely to result in less traffic using this access. The demand for the parking being lost would result in additional usage of the town centre public parking facilities. However, vehicular access will still be required for deliveries to the business and to the garages on the southern side of the access.

The applicant should consider the size of the vehicles making deliveries and provide an adequate turning area in the yard which should be kept clear for that purpose. On the understanding that the seating area could be reconfigured to cater for the required turning area, a condition is requested to keep the turning area clear and that the deliveries must not be made in vehicles above the size referenced.

Further comments in response to amended site plan: The LHA are satisfied that a vehicle can turn around in the yard. The vehicle making the deliveries would need to park in the area between the seating area and the final product storage area so that it is not obstructing the access for the other users of the yard.

### Environmental Health

Comment that the application has been assessed on the basis of its cumulative impact, rather than assessing individual elements in isolation. While certain aspects of the proposal, when viewed independently, may appear capable of being adequately controlled, their combined operation has the potential to result in an increased and sustained impact on nearby residential amenity.

In particular, the interaction between extended operating hours and the use of external seating areas is likely to increase the duration and intensity of customer related noise during sensitive evening and nighttime periods. The introduction of a pergola or covered outdoor seating structure may further exacerbate this impact by encouraging prolonged use of the external area and altering noise propagation characteristics, particularly where music or raised voices are present.

Additionally, plant and machinery noise associated with the chiller unit must be considered alongside reduced background sound levels during evening and nighttime periods. Even noise sources that are otherwise compliant can become intrusive when operating concurrently with outdoor customer activity and during periods of lower ambient noise.

Therefore, the cumulative effect of the proposed changes – including extended hours of operation, the use of covered external seating, potential music or amplified sound, and plant noise – may result in a materially greater impact on nearby residential occupiers than any single element alone. As such, restrictions, mitigation measures and operational controls may be necessary to ensure that the living conditions of neighbouring residents are adequately protected e.g. restricting the opening hours (brewery, shop & bar 09:00 to 23:00 Mondays to Saturdays, 10:00 to 22:00 Sundays and Bank Holidays and the outside seating area 09:00 to 21:00 Mondays to Saturdays, 10:00 to 21:00 Sundays and Bank Holidays); requiring details of all external lighting; requiring an acoustic assessment of the chiller unit; and restricting no live or recorded music to the outside seating area.

### **Police – Designing Out Crime**

An analysis of crime & disorder covering the period between 1 March 2025 and 28 February 2026 showed that the site is located within an area with low crime & disorder levels, with 12 crimes and three anti-social behaviour incidents being recorded by North Yorkshire Police.

Part of this application is for the variation of the operating hours which would be best aligned with those granted in the Premises Licence to avoid potential confusion, resulting in a breach of any planning condition.

The Police Alcohol Licensing Unit have advised that an application will need to be made to vary the Premises Licence as the current licensable area does not include the outside seating area.

### **Natural England**

No comments.

### **Forestry Commission**

No comments received.

### **Third party responses**

**Mr Simon Ravis, 1 Buckingham Square, Helmsley, YO62 5DZ**

**Jane Burns, 37 Bridge Street, Helmsley, YO62 5DX**

**Tracy Cooper, 43 Bridge Street, Helmsley, YO62 5DX**

**Jane Priest, Rye Cottage, 7 Ryegate, Helmsley, YO62 5AA**

**A O'Neil, 5 Ryegate, Helmsley, YO62 5AA**

**Barbara Balf, 3 Ryegate, Helmsley, YO62 5AA**

**Claudia Robinson, 28 Bridge Street, Helmsley, YO62 5DX**

**Anne Stewart, 2 Buckingham Square, Helmsley, YO62 5DZ**

**Charles Obank, 14 Bridge Street, Helmsley, YO62 5DX**

**David & Annie Nicholson, Ryedale House, 41 Bridge Street, Helmsley, YO62**

**5DX Julia Kershaw, 35 Bridge Street, Helmsley, YO62 5DX**

**Bruce Allen, Westminster House, Buckingham Square, Helmsley, YO62 5DZ Mr**

**Richard Beckett, 33 Bridge Street, Helmsley, YO62 5DX**

**Mrs Susanne Glynn, 26 Bridge Street, Helmsley, YO62 5DX**

**Mr Salvatore Giacalone, 1 Quarry Cottages, Spring Hill, Stonegrave, YO62 4LL**

All of the above object for some or all of the following reasons:

- Strong concern that extended opening hours (up to midnight) are inappropriate in a quiet residential and conservation area, and out of keeping with existing permissions and the character of the area.
- Late-night activity would reduce peace, privacy, and ability to sleep, particularly for families, elderly residents, and vulnerable or disabled occupants
- Fear that approval would set a precedent for late-night outdoor hospitality elsewhere in the town.
- Anticipated increase in noise from outdoor seating, including conversation, groups gathering, smoking, phone calls, and alcohol-related behaviour.
- Noise is harder to control outdoors and becomes more intrusive after 21:00 when background noise drops.
- Doubt that a 21:00–21:30 cut-off for outdoor use would be effectively monitored or enforced.
- Specific past experiences cited of excessive noise, loud music and late-running events well beyond permitted hours.
- Concern about music, live or recorded, and the cumulative effect of people leaving late at night.

- Formalising and covering the outdoor area (pergola) is seen as intensifying use, encouraging longer stays and year-round occupation with concern that the pergola alters how sound carries and increases disturbance.
- Concern that incremental changes amount to an inappropriate intensification of use.
- The outdoor area has previously operated without appropriate planning permission or licence.
- Objections to the retrospective nature of the application and perceived disregard for planning controls.
- Development seen as harmful to the character, tranquillity and heritage of Helmsley and its conservation area setting.
- Concern that previous unauthorised works have already harmed visual amenity.
- Industrial features such as chillers, tanks, boards and structures considered unsightly and out of character with the surroundings.
- Negative views from neighbouring homes and public areas.
- Increased vehicle movements, deliveries and customer traffic causing disruption.
- Serious concern over shared access to private garages, lack of turning space, and conflict between pedestrians and vehicles.
- Safety risks created by combining drinking areas with vehicle access routes.
- Combined effect of extended hours, outdoor seating, covered structures, equipment noise and increased occupancy seen as greater than each element individually.
- Question what benefit late-night operation brings to Helmsley, stating it risks harming, rather than enhancing, the community.

**Mr Ben Scott, 11 Station Road, Helmsley, YO62 5BZ**

Supports the application for the following reasons:

- Helmsley Brewery is a significant asset to the town, attracting visitors and supporting the local economy.
- It draws a broad and varied customer base and raises the town's profile through CAMRA interest, press coverage and television features.
- As a customer not aware of complaints relating to the brewery's operation, including since the introduction of the outdoor area during Covid.
- Clientele are characterised as calm and respectful, unlike more boisterous market-place venues.
- The brewery is praised for supporting the local community through charity events and sponsorship.
- Use of the outdoor seating area up to 9:00pm is considered reasonable.
- Background music is described as quiet and appropriate, allowing normal conversation without disturbance.

- Refusal of the application is seen as potentially damaging to the future of the business.
- Loss of the brewery could negatively impact nearby businesses and the wider Helmsley community.

**Consultation expiry**

1 May 2026

## Background

Helmsley Brewery lies on the west side of Bridge Street towards the southern limits of the town centre. Planning permission was originally granted in 2014 for the change of use of the property to form a micro-brewery with shop, viewing gallery and bar. The decision notice includes a number of conditions including restricting the opening hours to 9am to 9pm Monday to Saturdays (10am to 7pm Sundays and Bank Holidays); stipulating no tables or chairs for the use of customers outside the building; and the provision of parking spaces and turning area within the yard area.

In 2020 during the Covid pandemic and the requirements for social distancing, the outside space to the brewery was made available to customers with a temporary marquee followed by the timber pergola now in situ. The Authority agreed that no action would be taken to ensure compliance with the conditions in line with Government advice at the time, that a more flexible approach should be taken to support business during the pandemic.

Similarly, although the alcohol licence for the premises only permitted the consumption of alcohol within the building and required the off-sale of alcohol to be in sealed containers, since 2020, temporary provisions under the Business and Planning Act allowed licensed premises to make off sales of alcohol, including in unsealed containers, without varying their premises licence. These provisions expired on 31 March 2025.

This current application was submitted in 2021 to allow the continued use of the outside seating area including the retention of the pergola, the retention of the chiller unit, along with a change to the approved opening hours to 9am to 9.30pm Monday to Saturdays (10am to 7.30pm Sundays and Bank Holidays) and the siting of a chiller unit. However, it has recently come to light that a formal decision was not issued and the application remains live. As such the applicant has reviewed the situation and proposed a further change to the opening hours to 9am to 12pm (midnight) Mondays to Saturdays (10am to 10pm Sundays and Bank Holidays) with the outside seating being restricted to 9am to 9pm Mondays to Saturdays (10am to 9pm Sundays and Bank Holidays).

## Main issues

### Local Plan

**Strategic Policy A (Achieving National Park Purposes and Sustainable Development), Strategic Policy B (The Spatial Strategy), Strategic Policy C (Quality and Design of Development), Strategic Policy I (Historic Environment), Policy ENV11 (Historic Settlements and Built Heritage) and Policy BL8 (Shops, Offices and Food and Drink Services).**

**Strategic Policy A** seeks to further the National Park statutory purposes to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

**Strategic Policy B** states that development should strengthen Helmsley's role as the main service centre within the National Park by providing additional housing (open market and affordable housing), employment and training premises, community, and visitor facilities.

**Strategic Policy C** fosters a high standard of design to ensure development makes a positive contribution to the local environment.

**Strategic Policy I** requires development affecting the historic environment to conserve and, where appropriate, enhance cultural heritage and local distinctiveness. Proposals must conserve heritage assets and their settings in accordance with their significance, with particular regard to the wider historic landscape and traditional building styles, materials, form, and layout.

**Policy ENV11** requires development proposals to be of a high standard of design so as to conserve and enhance the built heritage, settlement layouts, and distinctive historic, cultural, and architectural features of the North York Moors.

**Policy BL8** supports new retail development, professional and food and drink services where the proposal is in accordance with the policies in Helmsley Local Plan.

**Helmsley Local Plan Policy H5 (New Main Town Centre Uses)** supports development proposals that enhance the viability and vitality of the town centre and are within the defined commercial limits. It goes on to advise that proposals for the intensification of existing town centre uses or are ancillary to an existing use will be supported where they are judged to enhance the viability and vitality of the town centre.

The National Planning Policy Framework (NPPF) (2025) at Chapter 16 (Conserving and enhancing the historic environment) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).

The Authority has a general duty in respect of conservation areas when exercising planning functions as set out under Paragraph 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

### **Principle**

Helmsley Brewery lies just outside the commercial limits as defined in the Helmsley Local Plan. However, the commercial use of the premises is long established by previous uses as an upholstery business, hairdressers and then retail showroom and outlet with an associated office. The change of use of the premises into a brewery, bar and shop was supported in 2014 as a re-use of an existing commercial premises and consequently would not undermine the objectives of Policy H5.

This proposal is for the retention of an outside seating area along with an extension to the opening hours to an established commercial premises which contributes to the

vitality and viability of Helmsley town centre and as such it is considered that the proposal does not conflict with Helmsley local Plan Policy H5 or Policy BL8 of the Local Plan.

### **Impact on the Conservation Area**

No changes are proposed to the external appearance of the brewery building itself.

The pergola is a modest timber structure located to the rear of the building and is largely screened from outside the site by boundary walls, trees, and other buildings. It is not considered to have a detrimental impact on the character or appearance of the Conservation Area.

With regard to the chiller unit, this is located in front of the outbuilding to the rear of the site, used as the fermenter room and final product store and was originally screened by a horizontal feather boarded fence which was considered by officers to be overly domestic in appearance and requested instead a vertical boarded timber screen to reflect the doors of the outbuildings. The applicant has now replaced the fence accordingly. Whilst the screen is in need of painting, its style reflects the outbuildings behind and is also not considered to have a detrimental impact on the character or appearance of the conservation area.

As such the proposals are considered to comply with Strategic Policy I and Policy ENV11 of the Local Plan, Chapter 16 of the NPPF and section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

In response to some of the concerns raised by third parties, the applicant is in the process of reconfiguring the site so the bins can be relocated so as not to obstruct access to the private garages and to be more discretely located so they are not on public view from the street.

### **Impact on residential amenity**

The property lies just outside the defined commercial area of Helmsley as set out in the Helmsley Local Plan, which starts on the opposite side of Buckingham Square from the premises and heads northwards towards the Market Place, and in a mixed-use area of residential and commercial properties. There is an existing retail unit adjoining the site to the south along with a block of private lock-up garages; to the west residential properties adjoin the yard boundary to the premises and there are further residential properties across the road to the north and east.

As noted by the Environmental Health Officer comments it is the cumulative impact of the proposals and the impact on nearby residential amenity that needs to be carefully considered.

It is accepted that the extended operating hours and the continued use of external seating area have potential to increase the duration and intensity of customer related noise during sensitive evening and night-time periods.

However, the outside seating area has been available for use by customers since the Covid pandemic in 2020 and has been operated in conjunction with the approved opening hours to the brewery. During that time, the Authority has not received any complaints regarding the outside seating area, neither has Environmental Health.

Whilst it is in a largely residential area outside the defined commercial limits of Helmsley, the property immediately to the south is in retail use along with 3 private garages. The garden to the adjoining properties (1 Buckingham Square and 24/26 Bridge Street) do share a boundary with the brewery yard and as such do experience some disturbance from the outside seating area. However, given the lawful use of the building as a brewery and bar and the Environmental Health's comments that raise no objection to the use of this outside seating area until 9pm subject to there being no recorded or live music (this can be a conditional requirement of any permission), the continued use of the outside seating area is considered acceptable.

With regard to the proposed extension to the opening hours of the brewery and bar, it is considered that closing at 12 midnight, given the mixed use character of the area could give rise to noise and activity late at night which could consequently have an adverse impact on the residential amenity of neighbouring properties. The Environmental Health Officer has suggested that an 11pm closure would be more appropriate given the locality and it is understood that the applicant would be happy with that and has indicated that they do not anticipate that late opening would be a common occurrence however they would like the opportunity to do so when the demand arises.

Furthermore the opening of the brewery and bar until 23:00hrs (22:00hrs on Sundays and Bank Holidays) would bring the business in line with similar establishments in the town and in particular the café/bar at 28 Bridge Street, just 40 metres to the south of the brewery, for which the Authority has a retrospective application for the change of use of the former butchers shop into a café/bar with outside seating which has not generated any objections from third parties at the time of writing.

There have been numerous objections from local residents regarding the extended opening hours, referencing late night opening or midnight. The applicant has taken note of those and the comments from Environmental Health, and in response has agreed to the reduced hours of 21:00 for the outside seating and 23:00 for the brewery and bar.

### **Highway safety**

The pergola is positioned in the area originally allocated for three parking spaces for the business and as such the proposal would result in the loss of off-street parking. However, the Highway Authority have noted that the shared access into the yard has very limited driver to pedestrian visibility and as such they welcome the removal of the parking spaces which is likely to result in less traffic using this access. The demand for the parking being lost would result in additional usage of the town centre public parking facilities.

Furthermore, the applicant has provided a scaled plan showing that turning space can be provided within the site to accommodate the business's own vehicles to allow them to enter and leave the yard in forward gear whilst parking clear of the private lock up

garages to load. The Highway Authority has confirmed this is acceptable and has requested a condition requiring the turning area to be kept clear and made available at all times.

### **Conclusion**

This largely retrospective application which seeks to formalise the use of the outside seating area which has continued for the past five years along with an extension of the brewery/bar opening hours has the potential to increase noise and activity during sensitive evening and night time periods however given the mixed use character of the area, including a similar licenced premises close by along with proposed conditions regarding opening hours and music, the proposal would ensure that the living conditions of neighbouring residents are adequately protected in accordance with the policies of the Local Plan. Approval is therefore recommended.

### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Contribution to Management Plan objectives**

Approval is considered likely to help meet Objective 5 which seeks to make the National Park a place that supports a diverse and innovative low carbon economy.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

# North York Moors National Park Authority

## Plans list item 7

### Planning Committee Report

**Application reference number:** FL/2026/00062

**Development description:** change of use of agricultural land to domestic garden and erection of garden room (retrospective)

### Site address:

Land to the East of Swallows Nest  
Northfield Farm  
Limestone Lane To Swang Road  
Scarborough  
YO13 0BJ

**Parish:** Suffield-cum-Everley CP

**Case officer:** Emily Jackson

**Applicant:** D Kay

**Agent:** Neil Duffield

## Director of Planning's Recommendation

Reason(s) for refusal

- 1 The extension of the domestic curtilage into open agricultural land results in an unjustified and harmful domestic encroachment into the countryside. The land is visually prominent and clearly associated with the surrounding agricultural landscape, contributing to its openness and rural character. The change of use erodes the established spatial distinction between domestic curtilage and agricultural land, undermines the historic farmstead layout, and approval would create an undesirable precedent for similar curtilage extensions, leading to cumulative landscape harm. As such, the proposal would be contrary to the provisions of Strategic Policies A and G, and Policies CO12 and CO19 of the North York Moors National Park Authority Local Plan 2020, which seek to conserve landscape character and cultural heritage.
- 2 The extension to domestic curtilage introduces a domestic use onto land historically and visually linked to agriculture, diluting the rural character of the barn group and obscuring historic development patterns. This results in less than substantial harm to the setting and significance of the Grade II listed farmhouse and its curtilage listed buildings with no clear public benefits. The proposal is therefore contrary to Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, Strategic Policy I, and Policy ENV11 of the North York Moors Local Plan 2020, and Chapter 16 of the National Planning Policy Framework (2025) which require great weight to be given to the conservation of designated heritage assets and their settings.

3 The garden room, by reason of its overly domestic design and prominent siting beyond the established residential curtilage, appears incongruous within this visually exposed rural landscape and has an adverse impact on the rural landscape character of the area and the setting of the historic farmstead. The proposal is therefore considered contrary to Strategic Policies A, C and G, Policy CO19, Policy ENV11, and Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as well as Chapter 16 of the National Planning Policy Framework (2025).

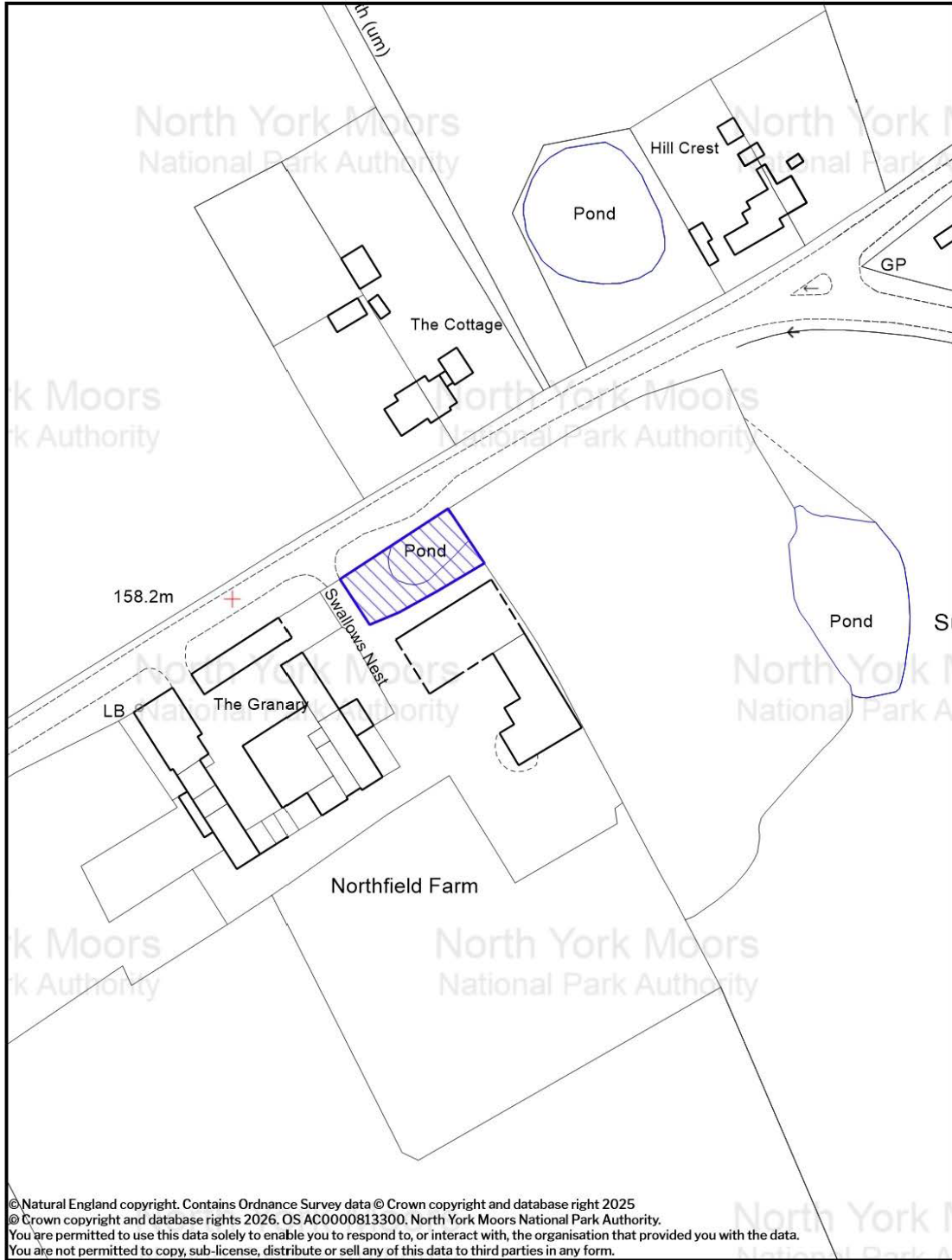
# Map showing application site



**North York Moors  
National Park**

Application Number: FL/2026/00062

Scale: 1:1250



**Photograph showing the extended area of domestic curtilage and garden room for which retrospective permission is sought.**



**Photographs looking west and east showing land for which a change of use is sought to become domestic garden. The applicant's dwelling, Swallows Nest, and its existing curtilage can be seen to the right of first image, and in the background of the second image.**



## Consultation responses

### Parish

None

### Forestry Commission

None

### Highways

None

### Environmental Health

Scientific team – No objections

Regulatory Services - No objections

## Third party responses

**C Maw, Northfield Granary, Northfield Farm, YO13 OBJ**

**P Goodenough, Northfield Cottage, Suffield Hill, YO13 OBJ**

**A Dunbobbin, Whisperdale Farm, YO13 OJT**

**F Lockey, Suffield Cottage, Suffield Hill, YO13 OBJ**

**S Duckering, Ivy Cottage, Suffield Hill, YO13 OBJ**

**J Chapman, East Mount, Suffield Hill, YO13 OBJ**

The above persons support the application for the following reasons:

- The site has been significantly tidied and improved compared to its former neglected, overgrown condition, improving the appearance of the area.
- Improved management has reduced previous problems such as vermin and has encouraged greater wildlife activity.
- The garden room is modest in scale, well sited and sits comfortably within its surroundings.
- There is no harm to neighbouring amenity, with no overlooking, loss of privacy, noise or disturbance reported.
- Any visual impact is limited as the structure is temporary, with planting helping to soften views as it matures.
- The proposal is considered to enhance rather than detract from the village or hamlet scene.
- The land is too small and impractical to be used for meaningful agriculture and has not served that purpose for many years.
- The development is viewed as a reasonable and proportionate use of land linked to an existing dwelling.

- The applicants are long-standing local residents who make a positive contribution to the community.
- No archaeological harm has occurred, as the pond and surrounding land have not been excavated, altered, or disturbed in any way.

**Consultation expiry**

15 May 2026

## **Background**

Northfield Farm lies approximately 1.8 km to the east of Hackness towards the edge of the National Park. The site comprises the main farmhouse, which is a Grade II listed building, together with a number of curtilage listed stone and pantile barns that have largely been converted to residential dwellings and holiday accommodation.

The two converted dwellings on site known as Northfield Granary and Swallows Nest each benefit from their own clearly defined area of residential amenity space located to the east of the buildings. These amenity areas are enclosed by drystone walls and form part of the established residential curtilage.

The application site relates to the northernmost outbuilding, Swallows Nest, which was converted following the grant of listed building consent and planning permission in March 2001. In 2016, planning permission was granted for the conversion of a double garage to the east of Swallows Nest to provide additional living accommodation.

This application seeks retrospective planning permission for the change of use of an area of agricultural land located to the east of the existing residential curtilage on the opposite side of a private access track to domestic garden, together with the construction of a timber garden room. The land in question measures approximately 31 m by 15 m (465m<sup>2</sup>). The garden room is of vertical timber boarded construction under a felt roof and measures approximately 3.3 m by 2 m, with a mono-pitch roof and a maximum height of 2.4 m.

## **Main issues**

### **National Planning Policy – Heritage**

Section 16, paragraph 212 of the National Planning Policy Framework (NPPF) (2025) states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Section 16, paragraph 213 of the NPPF goes on to state that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.

The Authority has a general duty in respect of Listed Buildings when exercising planning functions as set out under Paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 which states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

## North York Moors Local Plan (2020)

### **Strategic Policy A ((Achieving National Park Purposes and Sustainable Development)**

supports development that accords with the presumption in favour of sustainable development and the statutory purposes of the National Park: to conserve and enhance natural beauty, wildlife, and cultural heritage, and to promote public understanding and enjoyment of its special qualities. Where these purposes conflict, the Sandford Principle applies, with priority given to conservation and enhancement.

**Strategic Policy C (Design)** seeks high quality design that sustains and enhances the distinctive character of the National Park. Development should be appropriately sited, laid out, and scaled, with careful consideration given to height, massing, and form, and should use materials and detailing that reflect the architectural character of the original building and/or the local vernacular.

**Strategic Policy G (Landscape)** requires the conservation and enhancement of the North York Moors' high quality, diverse and distinctive landscapes. Great weight is given to landscape considerations, and development will only be supported where its location, scale and design respect and enhance the relevant landscape character type identified in the Landscape Assessment.

**Strategic Policy I (Historic Environment)** requires development affecting the historic environment to conserve and, where appropriate, enhance cultural heritage and local distinctiveness. Proposals must conserve heritage assets and their settings in accordance with their significance, with particular regard to the wider historic landscape, archaeological remains, and traditional building styles, materials, form, and layout.

**Policy C012 (Conversion of Buildings in Open Countryside)** requires that where converted buildings are subject to further alteration or extension, proposals must preserve the original character of the building and its setting. Changes to form, appearance or curtilage must not harm the character of the building or the surrounding landscape.

**Policy C019 (Extensions to Domestic Curtilage)** permits extensions to domestic curtilage only where there is no adverse impact on landscape character, no loss of community space, habitat or heritage assets, and no unacceptable harm to neighbouring amenity through noise, disturbance, or other adverse effects.

**Policy ENV11 (Historic Settlements and Built Heritage)** seeks to conserve the built heritage of the National Park by requiring development to achieve a positive and sympathetic relationship with traditional architecture and materials, and to conserve and enhance historic, cultural, and architectural character through appropriate scale, massing, alignment, detailing, materials, and finishes.

## Material Considerations

This application has been referred to Members for determination due to the number of third-party representations received in support of the proposal.

The application site is highly prominent when viewed from the adjacent public highway and benefits from limited screening. While it is acknowledged the site is not used for agriculture due to its enclosed nature and size, it lies immediately in front of a group of modern agricultural buildings with a large expanse of open countryside to the east. As such, the site is clearly viewed as part of the agricultural landscape and contributes to the openness and rural character of the area. The land is physically and visually detached from Swallows Nest and its established domestic curtilage as it is separated by a private access track.

Strategic Policy G requires development to respect the relevant Landscape Character Type. The site lies within LCT5: Limestone Hills, which is characterised by an open, elevated agricultural landscape with large regular fields and a long-established settlement pattern of isolated farms and historic villages. Many features, including farms, walls, lanes, and field systems are of medieval origin which gives the landscape a strong sense of continuity.

In this context, the principle of extending the domestic curtilage of Swallows Nest is considered to be unacceptable. Even with additional landscaping, the proposal would undermine the historic layout of the farmstead by eroding the historic and spatial distinction between domestic curtilage and agricultural land and would result in harm to the rural character of the locality. Approval would also risk setting an undesirable precedent whereby all the barns in the group could extend their domestic curtilage which would further increase landscape harm.

The scheme therefore conflicts with Strategic Policies A and G, Policy CO12 and Policy CO19 which require proposals to preserve the character and appearance of the landscape and any associated cultural heritage.

Swallows Nest is a curtilage listed building, historically associated with the Grade II listed Northfield Farmhouse. The building forms part of a wider group whose significance derives from their former agricultural use and their setting within the surrounding rural landscape. While the building has been converted, previous planning permissions have carefully ensured that any existing residential use has been contained within well-defined and proportionate domestic curtilages which are enclosed by drystone walls. This has ensured that the dwelling can continue to be read as a former barn within an agricultural setting rather than a domestic dwelling with large garden.

The Authority's Building Conservation Officer has objected to the proposal, stating that the proposed extension of domestic curtilage would result in less than substantial harm to the setting and significance of the listed farmhouse and its curtilage listed buildings through erosion of historic development patterns and loss of agricultural character through over domestication.

Any harm to the setting and significance of the Listed Building should be considered against Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, which requires decision makers to have special regard to the desirability of preserving listed buildings and their settings. It must also be considered against paragraph 212 of the NPPF which states that great weight should be given to the

conservation of designated heritage assets, irrespective of the level of harm identified. Paragraph 215 requires that where development would result in less than substantial harm to the significance of a designated heritage asset, that harm should be weighed against any public benefits of the proposal.

In this case, no clear public benefits have been demonstrated. The proposal would primarily deliver private benefits through the creation of additional private amenity space. While local support has been demonstrated, this does not amount to a public benefit, particularly as the land would remain in private ownership with no wider public access. Nevertheless, any limited benefits are outweighed by the identified landscape harm and the harm to the significance, setting and historic development pattern of the listed farmhouse and its associated curtilage listed buildings.

At a local level, the proposal also conflicts with Strategic Policy I and Policy ENV11 of the Local Plan, which requires development to preserve and enhance the setting of heritage assets in a manner appropriate to their significance by respecting key views, historic development patterns and the wider landscape settings which contribute to heritage significance.

This harm is further exacerbated by the garden room which has been constructed which is overtly domestic in design and appearance in this setting. Its siting on this open and visually exposed parcel of land beyond the established residential curtilage appears incongruous within its agricultural context, particularly in longer views across the site, and further detracts from the rural and historic character of the area.

## **Conclusion**

Taken together, the change of use and the associated garden room fail to conserve landscape character or the setting and significance of the historic farmstead and are therefore contrary to Strategic Policies A, C and G, Policy CO19, Policy ENV11, and National Heritage Policies. Furthermore, under the LURA 2023 (s245) the Authority is required to seek to further National Park Purposes and in determining this application which has both adverse impacts on natural beauty and cultural heritage, this legal requirement is particularly pertinent to this proposal.

**For the reasons outlined above, refusal is therefore recommended.**

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

## **Pre-commencement conditions**

Not Applicable.

## **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported

in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

# North York Moors National Park Authority

## Plans list item 8

### Planning Committee Report

**Application reference number:** NYM/2026/0077

**Development description:** installation of a ground mounted solar array comprising 192 panels (82.8kW output) with associated meter hut and battery storage unit

**Site address:** Middlewood Farm Caravan Site, Middlewood Lane, Fylingthorpe

**Parish:** Fylingdales

**Case officer:** Emily Jackson

**Applicant:** Middlewood Farm Holiday Park

**Agent:** Harrison Pick Ltd, Mr Sam Harrison

### Director of Planning's Recommendation

Approval subject to the following:

#### Condition(s)

- 1 The development hereby permitted shall begin not later than three years from the date of this decision.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Document Description	Drawing No.	Rev. No.	Date Received
Amended Location Plan	MF010126	B	09 April 2026
Amended Site Plan and Elevation	MF020126	B	09 April 2026
Meter Hut Elevations	ET15	-	06 February 2026
- 3 The solar panels shall have black frames and elements. The external elevations of the battery storage unit shall be coloured dark green. No development shall take place until details of the solar panels and battery storage unit hereby permitted, including details of their colour and finish, have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter so maintained.
- 4 If the use of all or part of the solar array hereby approved permanently ceases, it shall be removed from the land within six months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.
- 5 Prior to the development commencing, a landscaping and boundary treatment scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of planting, landscaping and any means of enclosure (including fencing) designed to soften the development and provide effective

screening, with particular provision of planting along the northern boundary of the site. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the completion of the development, and any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 6 No external lighting shall be installed in the development hereby permitted.
- 7 No development shall commence until a Habitat Management and Monitoring Plan has been submitted to, and approved in writing by, the Local Planning Authority. The Habitat Management and Monitoring Plan should include the following:
  - a. A copy of the completed biodiversity metric.
  - b. Description and evaluation of the habitats to be retained, enhanced and/or created onsite.
  - c. Detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric.
  - d. Preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years.
  - e. Details of the persons or organisation responsible for implementation of the plan.
  - f. Details of the proposed habitat monitoring and plan review on a five year cycle.
- 8 Development may not be begun unless:
  1. A biodiversity gain plan has been submitted to the Local Planning Authority, and
  2. The Local Planning Authority has approved the plan.

### **Informative(s)**

- 1 If any new CCTV is proposed to be installed on site, details of the location and method of fixing of any CCTV should first be provided to the Authority to confirm whether planning permission is required for its installation or not.
- 2 Please note that the footpath situated to the northeast of the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works. Appropriate information signs should be displayed to advise users of the operations. Any damage to the surface of public rights of way resulting from the works must be repaired on completion. If the safe use of public rights of way cannot be maintained, then a temporary closure must be requested through the National Park Authority with six to eight weeks' notice.

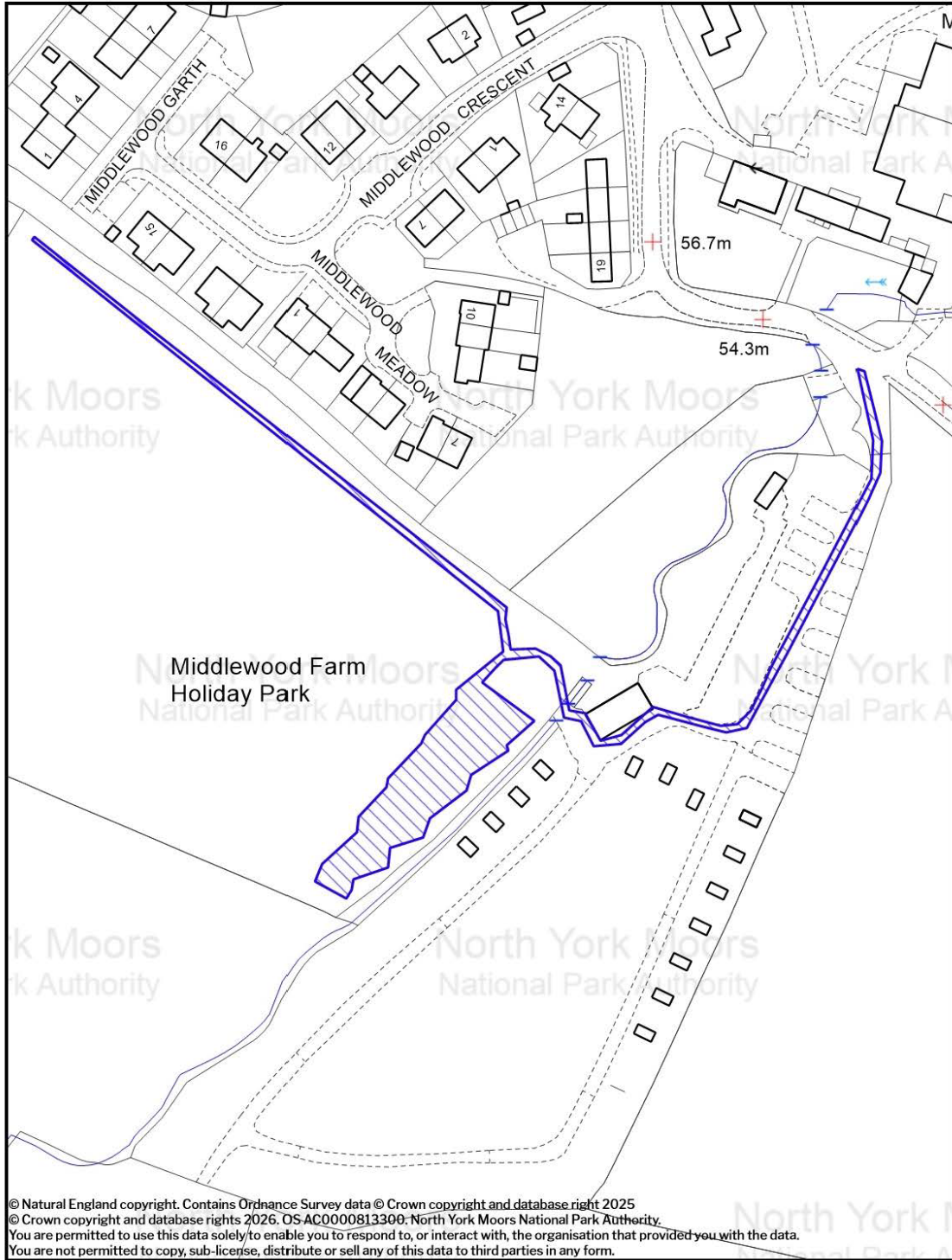
# Map showing application site



**North York Moors  
National Park**

Application Number: NYM/2026/0077

Scale: 1:1250

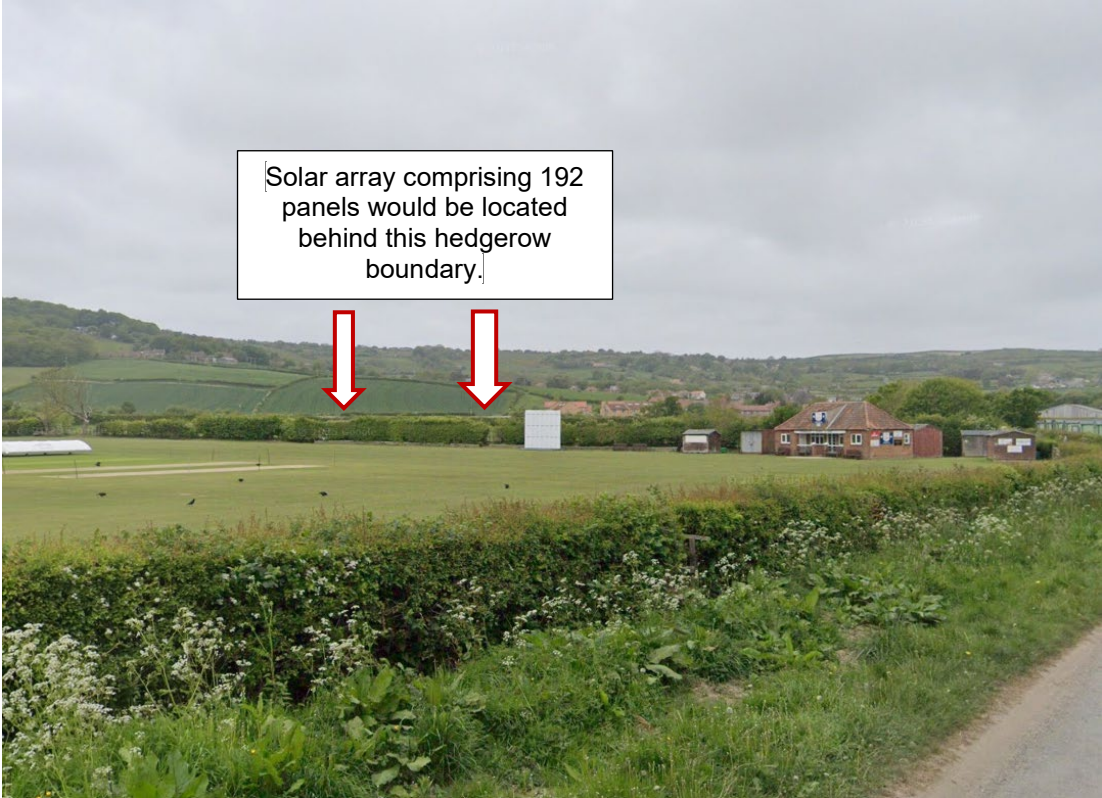


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**Photograph taken from public footpath looking east towards the application site and existing caravan park.**



**Photograph looking west towards application site from Middlewood Lane (Photo source: Google Street View, May 2025)**



## Consultation responses

### Parish

No objections - provided the land is still used to graze sheep.

### Ramblers Association

No objection - we ask that the adjacent public right of way is kept open/an alternative route is available whilst the works are carried out.

### Third party responses

**P Fitzgerald, Glenwood, Mount Pleasant North, Robin Hood's Bay, Whitby, YO22 4RE**

**D Clarkson, 3 Middlewood Meadow, Fylingthorpe, Whitby, YO22 4UP**

**R Pickering, 5 Middlewood Meadow, Fylingthorpe, Whitby, YO22 4UP**

**A Straw, 4 Middlewood Garth, Fylingthorpe, Whitby, YO22 4UJ**

**J Mortimer, Inthorpe, Middlewood Lane, Fylingthorpe, Whitby, YO22 4TT**

**J McGeehin, Ivy Cottage, Middlewood Lane, Fylingthorpe, Whitby, YO22 4UB**

**J Wedgwood – Copsford, Sledgates, Fylingthorpe**

**D Jagger – 16, Middlewood Crescent, Fylingthorpe, Whitby, YO22 4UE**

The above person(s) object to the proposal for one or more of the following reasons:

The proposal would cause significant harm to the landscape character and visual amenity of the North York Moors National Park, replacing open, undeveloped countryside with a visually intrusive and industrial form of development.

The scale and siting of the solar array are considered inappropriate, with concerns that the development would be widely visible from public viewpoints, footpaths, bridleways, and nearby residential properties.

The development is perceived as contributing to the incremental industrialisation of a protected landscape, eroding the special qualities and rural character the National Park is designated to conserve.

Insufficient or unclear information has been provided regarding the exact layout, appearance and associated infrastructure, including fencing, CCTV, lighting, meter huts, inverters, and potential battery storage.

Concerns are raised regarding glint and glare, noise from inverters and associated equipment, and the resulting impact on residential amenity, outlook, and tranquillity.

The proposal is considered likely to have an adverse impact on wildlife and biodiversity, including birds and mammals that use the site for feeding and nesting.

Construction and maintenance traffic would increase disturbance on local roads, which already experience periods of congestion.

Concerns are raised regarding surface water runoff and flooding, particularly during heavy rainfall events.

Objectors question whether a clear and overriding need or community benefit has been demonstrated to justify locating the development within the National Park, and whether less sensitive alternative locations have been adequately considered.

**Consultation expiry**

01 May 2026

## Background

Middlewood Farm comprises a working farm and long-established caravan and camping site situated on the northern edge of Fylingthorpe village, close to the residential areas of Middlewood Lane and Middlewood Crescent. The Grade II Listed Farmhouse and associated mix of traditional and modern, large agricultural buildings are located at the north side of the lane with the static caravan park (30 vans) and overspill camping site. The touring caravan and camping site are at the opposite side of the lane extending into open countryside.

This application seeks planning permission for the installation of a ground mounted solar array comprising 192 panels (82.8kW output) with associated meter hut and battery storage unit on an agricultural field to the southwest of the site, adjacent to the touring caravan and camping pitches.

In support of the application, the agent has stated that: “100% of the energy generated by the proposed solar array will be consumed on site. Middlewood Farm is a substantial, multi-faceted tourism site offering a wide range of accommodation types including glamping, static caravans, touring pitches, and tent camping.

This diversity of use means the site carries a significant and varied electrical load across the year, encompassing:

Accommodation heating, lighting, and appliance use across glamping units and static caravans, which operate to near-residential standards of energy consumption.

Tourer and camping facilities, including electric hook-up points, shower and toilet blocks, laundry facilities, and reception/office functions.

Site-wide infrastructure, including lighting, water pumping, maintenance operations and any on-site hospitality or retail facilities.

The solar array, paired with battery storage, has therefore been sized to offset as much of this demand as possible without over-generating beyond what the site can absorb.”

## Main issues

National Planning Policy Framework (NPPF)

The Government’s commitment to the protection of National Parks is clearly set out in the NPPF (February 2025). Paragraph 189 says that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection. Furthermore, whilst at the heart of the NPPF is a presumption in favour of sustainable development, Paragraph 190 also confirms that the scale and extent of development within these designated areas should be limited.

Paragraph 168 requires local planning authorities to give significant weight to the benefits associated with renewable and low carbon energy generation and the proposal’s contribution to a net zero future.

Whilst recent changes in national policy have provided additional weight to proposals for renewable and low carbon energy, policies relating to the protection of National Parks have not been altered and great weight is still afforded to conserving and enhancing landscape and scenic beauty in National Parks.

### **North York Moors Local Plan (2020)**

The most relevant policies contained within the North York Moors Local Plan 2020 to consider with this application are **Strategic Policy A (Achieving National Park Purposes and Sustainable Development)**, **Strategic Policy F (Climate Change Mitigation and Adaptation)**, **Strategic Policy G (Landscape)**, and **Policy ENV8 (Renewable Energy)**.

**Strategic Policy A** supports development that accords with the presumption in favour of sustainable development and the statutory purposes of the National Park: to conserve and enhance natural beauty, wildlife, and cultural heritage, and to promote public understanding and enjoyment of its special qualities. Where these purposes conflict, the Sandford Principle applies, with priority given to conservation and enhancement.

**Strategic Policy F** expects new development to be resilient to and mitigate the effects of climate change and will be supportive of new development which reduces the need for and makes efficient use of energy; uses renewable energy; and incorporates sustainable design and construction.

**Strategic Policy G** requires the conservation and enhancement of the North York Moors' high quality, diverse and distinctive landscapes. Great weight is given to landscape considerations, and development will only be supported where its location, scale and design respect and enhance the relevant landscape character type identified in the Landscape Assessment.

**Policy ENV8** permits development proposals for the generation of renewable energy where it is of a scale and design appropriate to the locality and contributes to meeting energy needs within the National Park; where it respects the landscape character; where it does not result in an unacceptable adverse impact on the special qualities of the National Park; it provides environmental enhancement or community benefits where possible and it makes provision for the removal of equipment and the reinstatement of the land should it cease to be operational. In the justification to the policy, it advises that small-scale renewable energy developments which contribute towards meeting domestic, community or business needs within the National Park will be supported where there is no significant environmental harm to the area and the objectives of National Park designation will not be compromised.

To provide more detailed advice on the information required to meet the provisions of Policy ENV8, the Authority adopted a Renewable Energy Supplementary Planning Document (SPD) in April 2010. Section 5.2 of this SPD relates to solar panels and states that because of their particularly modern, industrial look panels should be carefully sited to reduce visual impact, possibly within the rear garden or other location away from the main frontage of the property or other important views.

## **Material considerations**

The application site lies within the North York Moors National Park and therefore in line with Paragraph 189 of the NPPF, “great weight” must be given to conserving and enhancing landscape and scenic beauty. At the same time, the NPPF places “significant weight” on addressing climate change and the transition towards achieving Net Zero by 2050. This presents a clear policy tension between protection of the National Park landscape and the transition towards renewable energy options to mitigate the effects of climate change. This tension must therefore be weighed through the planning balance, with careful consideration of the site-specific impacts of the proposal.

## **Size, scale, and landscape impact**

As originally submitted, the proposal sought permission for a ground-mounted solar array comprising 120 panels with a maximum height of 2.5 metres within the centre of fields within an area of open countryside divorced from any existing built structures. Officers considered that the siting of the array in this original location would have resulted in unacceptable visual harm to the openness and rural character of the landscape which would have presented a clear conflict with Strategic Policies A and G, as well as Paragraph 189 of the NPPF.

Amended plans were subsequently requested and received which showed the solar array relocated within a different field further east, close to the boundary of the existing caravan and camping park. This allows the solar array to be viewed in context with the established built form rather than appearing as an isolated feature within the wider landscape. Due to the amended layout and orientation, the number of panels has increased to 192 in order to maintain the same 82.8kw energy output.

As part of the negotiations, officers did request that alternative locations were considered, including within the camp site itself or on any agricultural buildings which have not yet been covered in solar panels. However, the applicant has explained that the site is constrained by the location of the existing grid connection point which the array would need to be connected to in order to serve the western side of the site. All existing solar panels are served by a different connection point which is too far away. In view of this, officers are satisfied that alternative locations have been considered and that this is the most suitable and least harmful site in the applicants’ ownership for which an array of this size could be situated.

In scale terms, the solar array constitutes a larger-scale structure in a National Park context compared to most proposals which generally have been for domestic properties and owing to the regular and rather incongruous appearance of the equipment there will be a degree of unavoidable change in landscape character. The solar array will be visible in some long-distance views (primarily when looking west towards the site), and in short distance views from the adjacent houses as well as from the public footpath which runs to the north of the site. These landscape considerations weigh against the proposal in terms of Paragraphs 189 and 190 of the NPPF and Strategic Policy G which seek to limit development and protect the landscape qualities of the National Park.

Notwithstanding the above, the amended siting of the proposal significantly reduces landscape impact in this specific context. The solar array would now be seen in the context of a backdrop against existing development, with open countryside to the south and west but with the existing caravan park to the east and residential development to the northwest. The array would also be sited within the corner of the agricultural field, adjacent to established hedgerows which will limit any perceived loss of openness.

The site lies within LCT4: Coastal Hinterland which is characterised by its patchwork patterns of fields, woodland, plantation, and grassland which are well appreciated in panoramic views from high land. The site has a sloping topography which slopes downwards towards the caravan site, meaning that the panels would be positioned at the lower level of the slope. This topography would provide a degree of natural containment, ensuring that the array does not appear elevated within long distance views as it will be seen in the backdrop of fields, rather than against the skyline. The spacing between the rows of panels also means that grass beneath will still be visible which will soften the appearance of the panels when viewed at a short distance.

In accordance with Policy ENV8 and the guidance contained within the Authority's Renewable Energy SPD, officers have requested amendments and mitigation measures to reduce visual and landscape impacts arising from the development. These include additional planting to soften views of the array in long distance views and from nearby residential properties (specific planting details are to be secured via condition); the use of all black solar panels to reduce reflections and glare compared to panels with silver frames (to be agreed via condition); and a requirement for the battery storage unit to be finished in green so that it blends-in more effectively into the rural setting.

Further to the above, while it is acknowledged that the solar equipment will have a landscape impact for the duration of its operational lifespan, the development is fully reversible and as such will not form a permanent landscape feature should the equipment ever cease to be operational.

In weighing these points, officers consider the development to result in a moderate level of localised landscape harm. However, the effects of this landscape harm are mitigated by the site's proximity to the existing built environment and the topography of the land which together mean that the development would not appear incongruous or unduly prominent in wider views. Once established, further landscaping and planting provisions will further soften views of the development in both short distance and long-distance views. This area of Fylingthorpe, set back from the coast is also characterised by existing caravan sites and edge of settlement housing development which present an already modified landscape character.

### **Renewable energy merits**

On the other side of the planning balance are the benefits of renewable energy in supporting the Government's commitment to Net Zero by 2050, with Paragraph 168 affording this significant weight in the planning balance. Regional targets for net zero are even more challenging with a date of 2035 set by YNY Combined Authority. Strategic Policy F of the local plan also supports this position, stating that proposals will be

expected to mitigate the effects of climate change through utilising renewable energy. The effects of climate change are particularly prevalent in coastal areas such as Fylingthorpe which face risks such as coastal erosion.

The proposed solar array would make a substantial contribution towards the renewable energy production of Middlewood Farm and seeks to supply 100% of the energy generated to the site without selling to the national grid. The scheme would therefore move the site significantly closer to renewable energy self-sufficiency, reduce carbon emissions, and contribute positively to climate change mitigation. Additional benefits include modest economic and employment benefits during construction, alongside the delivery of biodiversity net gain, which weighs further in favour of the proposal.

While not an essential requirement, Policy ENV8 seeks renewable energy proposals to provide environmental enhancement or community benefits wherever possible. While the development does not provide explicit community benefits, the proposal would support the long-term viability of an existing caravan and camping park which contributes to the local tourism economy and employment. The development would also provide environmental enhancements through renewable energy generation, biodiversity net gain and continued agricultural grazing beneath the panels.

### **Consultation responses**

Objections have been received raising concerns regarding landscape impact, glare, and noise. Landscape and glare matters have been addressed above. In terms of noise, the solar panels themselves are silent in operation. Any noise would be limited to the associated inverter and battery storage equipment which would generate only low-level operational noise below typical background daytime noise levels. The inverter would be located within an enclosed meter hut which will help to reduce noise levels and the context of the site next to a holiday park which already generates a reasonable level of background activity and traffic would further reduce the impacts.

Environmental Health have raised no objections to the proposal, and the proposal is therefore considered acceptable in terms of noise and residential amenity.

The Parish Council has raised no objection to the proposal, subject to the land continuing to be used for sheep grazing. While the presence of livestock in the field is at the applicant's discretion, the field will remain in agricultural use and because the panels would be installed at a height of approximately 2.2 metres sheep will be able to continue to graze beneath the array.

### **Conclusion**

The proposal gives rise to an acknowledged landscape impact and in the view of officers represents development which is at the upper limit of what is considered acceptable in this location within a Protected Landscape context. This harm is afforded great weight in the planning balance. However, the visual impact in this case would be localised and the development would be experienced in the context of the wider built environment and sloping topography, rather than in a wholly open and isolated countryside setting. Weighed against this are the significant benefits of renewable energy generation,

compliance with climate change objectives, contribution to net zero, and additional environmental and economic benefits.

Having carefully assessed the proposal, on balance, officers consider that the renewable energy benefits arising from the proposal would outweigh the localised landscape harm which would arise as a result of the proposal. Officers consider the development to accord with the provisions of the North York Moors Local Plan 2020 and NPPF 2025.

It is however noted that any future proposals to expand the solar array beyond that currently under consideration further west into the open countryside would be likely to represent overdevelopment of the site and result in additional landscape harm.

### **Public Sector Equality Duty imposed by section 149 of the Equality Act 2010**

The proposal is not considered to unduly affect any people with protected characteristics.

### **Pre-commencement conditions**

Conditions 3, 5 7 and 8 are pre-commencement conditions and have been agreed in writing with the applicant/agent.

### **Contribution to Management Plan objectives**

Approval is considered likely to help meet Outcome 05 which seeks to make the National Park a place that supports a diverse and innovative low carbon economy.

### **Explanation of how the Authority has worked positively with the applicant/agent**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including amendments to the location of the development to bring the solar array closer to the existing built environment, so as to deliver sustainable development.