



**North York Moors
National Park**

Agenda

Meeting: Planning Committee

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

Date: Thursday 06 February 2025 , 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 28 November 2024
5. Public question time (an opportunity for members of the public to ask questions)
6. 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.
7. Miscellaneous items
 - a) Appeals (Development Management)
 - b) Appeals (Enforcement)
 - c) Planning applications determined by the Director of Planning
 - d) List of enforcement matters determined by the Director of Planning
 - e) Number of planning applications determined and number of planning applications outstanding (over 13 weeks)
8. Reconsider the wording of Condition 5 recommended for planning application NYM/2024/0528
9. Government working paper on planning committees and revised National Policy Framework and increase in planning fees
10. Local Development Scheme

11. To consider applications, together with the Director of Planning recommendations thereon:-

Plans List Item Number	Application Reference	Development description and site address
1	<u>NYM/2024/0577</u>	construction of 30no. dwellings (mix of affordable, principal residence and open market), conversion of Station House into four apartments with associated parking/garages and amenity space, conversion of engine shed building into 2 principal residence dwellings and landscaping works at West Ayton Highways Depot, Garth End Road, West Ayton
2	<u>NYM/2024/0730</u>	use of land for camping, caravanning and the siting of three glamping pods for holiday purposes, construction of amenity block building and single storey bistro/cafe building together with access improvements, internal access roads, parking, creation of wildlife pond with viewing deck and landscaping works at St Hilda's Farm, 3 High Street, Hinderwell
3	<u>NYM/2024/0825</u>	construction of one local occupancy dwelling (NPPF para. 84) with associated garaging, stabling, access, parking and landscaping together with equine building (barn) with green roof and solar panel system (revised scheme to NYM/2023/0063) at land adjacent to Willow Wood Way, Stainsacre
4	<u>NYM/2024/0544</u>	removal of jetties, siting of two sauna pods on decking and proposed decked seating area with pergola at Lakeside, Raithwaite Estate, Sandsend, Whitby
5	<u>NYM/2024/0588</u>	construction of first floor side extension at 6 The Old Stubble, Staithes
6	<u>NYM/2024/0589</u>	demolition of existing garage and construction of double garage at garage to the south of 5 & 6 The Old Stubble, Staithes
7	<u>NYM/2024/0824</u>	variation of condition 3 of planning approval NYM/2021/0749/FL (allowed on appeal) to allow a stone base and render finish to extension at Newton House, Roseberry Lane, Newton under Roseberry

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).

12. 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. 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
- 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 28 November 2024, 10.00am

Present: Jim Bailey, Malcolm Bowes, Michelle Donohue-Moncrieff, Jane Harper, David Hugill, Patrick James, David Jeffels, Paul McInnes, Heather Moorhouse, Clive Pearson, John Ritchie, Christine Roberston, Janet Waggott, Arnold Warneken, Colin Williamson

Apologies: Joy Andrews, George Jabbour, Abida Nayyer, John McQue

Copies of all documents considered are in the minute book

45/2024 Livestreaming and recording

The Chair informed all present that the meeting was being livestreamed and recorded.

46/2024 Emergency evacuation procedure

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

47/2024 Minutes

That the public minutes of the meeting held on Thursday 17 October 2024, having been printed and circulated be taken as read and be confirmed and signed by the Chair as a correct record.

48/2024 Public question time

There were no questions from members of the public.

49/2024 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.

50/2024 Miscellaneous items

Considered: The report of the Director of Planning.

Resolved: Members noted the report and endorsed the Director of Planning's proposal to write to the Planning Inspectorate in relation to appeal decision NYM/2024/0093 for the conversion of and extension to redundant buildings to form one local occupancy dwelling with associated garage/workshop/store and amenity space (revised scheme to planning approval NYM/2020/0374/FL) (retrospective) at Rye Hill Farm, Great Ayton to seek clarification as to the inspector's reference to certain features in the scheme being common in the locality on agricultural buildings and in broader terms how the Levelling-up and Regeneration Act 2023 duty on relevant authorities to seek to further National Park purposes is being embedded in the decision making process by Inspectors.

51/2024 Local Plan: Annual Monitoring Report

Considered: The report of the Head of Strategic Policy

Resolved: That Members noted the contents of the Annual Monitoring Report 2023-24 and authorised publication of the document on the Authority's website.

In future reporting Members requested that five-year's worth of North York Moors National Park Authority data is provided; that consideration is given to whether comparative data can be provided from other National Park Authorities; that the report includes further explanation of policy issues/matters and that officers assess and clarify the identified omission related to previous years (now updated in the published report). Furthermore, Members requested a future training seminar on the application of policies; specifically housing and tourism by other National Park Authorities.

52/2024 Enforcement Update Report

Considered: The report of the Director of Planning.

Resolved: Members noted the report; requested that officers check the figures due to an identified anomaly with the 2024 total number of cases and requested that the Authority increase its messaging regarding enforcement, emphasising the importance of early engagement with the Authority and the cost implications of unauthorised development for both the landowner and Authority.

53/2024 Applications for planning permission

Plans list item 1 – Simon Welford spoke in support of the application and Henry Wainwright spoke as the applicant.

Plans list item 2 – Jon Saddington spoke as the agent.

Plans list item 5 – David Stovell spoke as the agent.

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 the Members' update sheet,

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

Plans list item 1

NYM/2024/0528 - Use of land for selling (pick your own) home grown produce together with cafe and bar facilities, siting of two associated structures (silo and secure storage facility) together with associated access and parking (April - Oct) (part retrospective) at field adjacent A170 located south of Helmsley.

A proposal to approve the application without condition 1 restricting the development to a temporary ten-year period and an amendment to condition 5 to state that there will be no amplified music on site was moved and seconded. A vote was taken on this proposal and lost.

A further proposal was put forward to approve the application with an amendment to condition 5 to state that there will be no amplified music on site was moved and seconded. A vote was taken on this proposal and carried.

Resolved: Approved as recommended with an amendment to condition 7 as set out on the members update sheet as follows:

No lighting shall be installed on the development hereby permitted, other than the string lighting in accordance with the details submitted and which shall be Dark Sky compliant. The string lighting shall be switched **off** when the site is not open to customers. No flood lighting shall be used at any time. The lighting shall be installed and maintained in accordance with the above thereafter.

and with the Director of Planning to clear an amendment to the wording of condition 5 to ensure there will be no amplified music on site.

Following the resolution due to an ambiguity with the proposed limitations to music related noise, a request was made to clarify the wording of condition 5 concerning the music restrictions. This matter will be referred to Members at the next Planning Committee meeting as a non-plans list item to reconsider the wording of condition 5 only.

Plans list item 2

NYM/2024/0628 - Demolition of storage buildings and construction of one dwelling with associated parking, amenity space and landscaping works at Underwood, Clack Lane, Osmotherley

Declarations of interest: David Hugill declared a personal interest in this item as he was present at the Parish Council meeting when the application was discussed and asked questions. He confirmed that he was not part of the Parish Council decision and maintained an open mind to the proposal.

Resolved: Refused as recommended.

Plans list item 3

NYM/2024/0454 - Demolition of existing outbuilding and timber carport and erection of replacement timber clad garage/storage building and carport at 5a The Flat, Whitbygate, Thornton le Dale

Resolved: Approved as recommended.

Plans list item 4

NYM/2023/0437 - Retention of temporary electronic communications mast, ground-based equipment and fencing (originally installed under emergency permitted development rights) until 30 September 2025 at existing temporary telecommunications installation, Bilsdale West Moor

Declarations of interest: Malcolm Bowes declared a personal, non-prejudicial interest in this item due to having extensive communications with the applicant on behalf of the Parish Council.

Resolved: Approved as recommended.

Plans list item 5

NYM/2024/0203 - Listed Building consent for creation of internal door opening, works to floor, plastering, insulation to roof, refurbishment and reinstatement of forge equipment and installation of timber double glazed windows with shutters and oak stable door with glazed door behind at Forge Cottage, Chop Gate

Declarations of interest: Malcolm Bowes declared a personal, non-prejudicial interest in this item due to knowing the applicant and having had discussions with them concerning the application.

Resolved: Granted with the following additional informative as set out on the members update sheet:

Informative

The applicant is advised that a Section 106 Agreement relates to this application, There is a separate application process which must be followed to discharge/modify a Section 106 Agreement and the appropriate form to do this can be obtained from the [Authority's website](#).

Plans list item 6

NYM/2024/0553 - Reorganisation of static and touring caravan areas comprising use of land for the siting of ten camping pods in lieu of ten touring caravan pitches and siting of two lodges and four camping pods in lieu of four static caravans for all year-round holiday occupation together with installation of ground mounted solar panels at Whitby Holiday Park, Saltwick Bay

Resolved: Approved with the Director of Planning to clear an additional condition restricting the occupation of the lodges to holiday letting only.

Plans list item 7

NYM/2024/0448 - Insertion of dropped kerb and creation of driveway (resubmission following the withdrawal of NYM/2024/0021) at 2 Whitby Road, Staithes

Resolved: Approved as recommended.

North York Moors National Park Authority

Item 5, 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.

North York Moors National Park Authority

Item 7, Miscellaneous items

Appeals

a) Development Management

Please note that the appeal documentation for each of the applications listed below can be found by clicking on the application reference number.

Hearings and inquiries

Reference number	Appellants name	Development description and site address	Date, time and venue
NYM/2024/0526	Ms Louisa Smith	Certificate of lawfulness for the erection of four buildings more than four years ago and use of the land and siting of a trailer in excess of ten years, all for workshop and storage purposes at Whin Covert, Riggs Head, Silpho Brow.	Hearing to be held on Tuesday 11 March 2025 in The Committee Room, The Old Vicarage, Bond Gate, Helmsley.

Appeals received

Reference number	Appellants name	Development description and site address
NYM/2024/0526	Ms L Smith	Certificate of lawfulness for the erection of four buildings more than four years ago and use of the land and siting of a trailer in excess of ten years, all for workshop and storage purposes at Whin Covert, Riggs Head, Scarborough

Appeals determined

Reference number	Appellants name	Development description and site address	Decision
NYM/2023/0435	Mr & Mrs M & T Arnell c/o Agent	Removal of shipping container from the land, change of use of land from agricultural to equestrian, together with erection of stable building and field shelter (part retrospective) at	Appeal dismissed. Decision attached at appendix A

Reference number	Appellants name	Development description and site address	Decision
		land north of Ghyll Brow & Thorn Hill View, Glaisdale	
NYM/2023/0857	Ms J Birch c/o Agent	Land south of St Margarets Church, Aislaby	Appeal dismissed. Decision attached at appendix B
NYM/2023/0607	Mr Duncan Ross Russell c/o Agent	Listed Building consent for installation of seven replacement traditional weighted vacuum sealed sliding sash windows and two Yorkshire sliding sash vacuum sealed windows at The Old Vicarage, 40 North End, Osmotherley	Appeal allowed. Decision attached at appendix C

(b) Enforcement

Please note that the appeal documentation relating to the enforcement cases listed below can be found by clicking on the reference number.

Hearings and inquiries

None

Appeals received

None

Appeals determined

None

(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 D.

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 E.

Tom Hind
Chief Executive

Chris France
Director of Planning

Background documents to this report

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

Appeal Decision

Site visit made on 2 October 2024

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 26 November 2024

Appeal Ref: APP/W9500/W/24/3342174

Land to North of Ghyll Brow & Thorn Hill View, Glaisdale, Whitby YO21 2AX

- 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 & Mrs M & T. Arnell against the decision of North York Moors National Park Authority (the LPA).
- The application Ref is NYM/2023/0435.
- The development proposed is a change of use of land to equestrian, construction of stables and siting of field shelter.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have used the development description shown on the application form as no evidence has been presented to show a change had been agreed.

Main Issues

3. The main issues in the determination of the appeal are:
 - the effect of the proposed development on the open countryside and character and appearance of the surrounding area and the North York Moors National Park (NP);
 - whether the proposed development would be in a suitable location to the appellant's place of residence; and
 - the effect of the proposed development on the living conditions of nearby residents, with particular regard to traffic, noise and odour.

Reasons

Character and appearance

4. The appeal site consists of a field to the rear of the housing to the end of Ghyll Brow and Thorn Hill View and to the end of some existing commercial/industrial buildings to the southeast edge. Other than an off-centre mature tree, the field has a largely open aspect. Typically, its boundaries are a mix of walls, fencing, trees and hedgerows. To the southeast corner is a field shelter. The appeal site is in the NP and beyond the field the area is predominantly a rural/agricultural landscape. The field is currently being used to keep horses.
5. The proposal would be an enclosed approximate one-hectare field with an L-shaped timber stable and a separate field shelter. The stable would have a

- pitched roof and it would include three horse stalls and two storerooms. It would be located to the southeast corner of the field and would have a small front hardstanding. The existing field shelter would be relocated next to the stable. The proposal would include the change of use of the land to equestrian purpose.
6. The LPA advise that the appeal site would be defined as open countryside in the North York Moors National Park Authority Local Plan July 2020 (Local Plan). The appellant does not dispute this.
 7. Being approximately 17.8 metres (m) by 13.4m with an overall height of 4.2m the L-shaped stable would be a very large building. While it would be located close to the existing housing and commercial buildings, the separation provided would still make it appear as an isolated building, outside the existing development pattern. With its different form and materials used, it would not relate well to any of the surrounding buildings, and it would appear as an incongruous and prominent addition which would be an intrusion into the open countryside and the NP. The relocated field shelter would not lessen the proposed stable's visual effect but would add to the scale of the proposal's intrusion.
 8. I recognise the important benefits the stable would provide to horses' health and well-being and offer safe and secure storage for maintenance tools and animal welfare items. However, other than showing the shelter would typically accord to the British Horse Society's recommended size, little justification for the stable's overall large scale has been given. It has not been shown that these benefits could not be achieved through less harmful alternative means.
 9. The proposal would not change the field surface and the post and wire fence would have little effect on the landscape views across the field. However, a lack of harm attracts neutral weight.
 10. The proposal would combine several facilities necessary for the keeping of horses such as stables, tack room, stores and feed storage and thus would avoid the need for a potentially more sprawling and a larger number of buildings. However, while this may be the case, this is not the appeal before me and does not address the harm I have identified.
 11. While reference was made to other existing small plots with huts and sheds to the west, the exact details were not provided. During my visit I only observed some modest sized buildings towards the western boundary which were located amongst trees and vegetation. They were not in the open field and were not prominent or imposing structures. They are therefore not directly comparable to the proposal and do not change my view on the harm identified.
 12. Although such things as the topography, boundary features and existing buildings would provide some screening, the proposal would still be visible from a number of public vantage points such as along the southeast road and Thorn Hill View. The proposed stable's scale and location would still result in a significant intrusion into what is currently an undeveloped field and open countryside.
 13. The proposed development would significantly harm the open countryside and the character and appearance of the surrounding area and the NP. It would be contrary in this regard to Strategic Policy B and Policy CO20 of the Local Plan

which seek, amongst other matters, to prevent sporadic development and isolated buildings in the open countryside and for equestrian development for private use to not have an unacceptable impact on the local landscape character or the special qualities of the NP.

Suitable location to the appellant's place of residence

14. The appellant does not live at or near to the appeal site but is noted as being within easy driving distance of it.
15. Criterion 2 of Policy CO20 of the Local Plan only refers to 'existing buildings' and does not specify these as needing to be residential. The criterion also makes no specific reference to maintenance or management of new equestrian development. Supporting text 7.103 only refers to horse development being managed with care in relation to appearance and character of the landscape and especially in this regard where it is adjacent to residential properties rather than within the domestic curtilage. Little reason is also provided why supporting text 7.106 could not be applied to an equestrian development which is separate from associated residential dwellings. Other supporting text in the policy relate to protecting the landscape with no maintenance or management need being specified.
16. I am therefore not convinced that Policy CO20 of the Local Plan requires equestrian development to be located adjacent to or close to the residential unit from which it would be managed. I note the LPA's concerns regarding the appellant's comments on the potential higher number of horses to be kept and the appellant's welfare need highlighted at the pre-application stage. However, there is little compelling evidence provided to show that further facilities or development above that proposed would be required. In any event any future development requirements would be subject to further planning applications and these would be considered on their own merits.
17. Accordingly, the proposed development would be in a suitable location to the appellant's place of residence and would comply in this regard with Policy CO20 of the Local Plan.

Living conditions

18. There is already regular existing activity at the field to look after the horses that are grazed. Furthermore, due to its agricultural and rural setting, some level of noise, odour and traffic associated with the potential use of the field in the keeping of livestock or other agricultural use would not be unexpected or unreasonable.
19. The proposal would be some 20m from the dwellings and closer to the commercial buildings. It would face away from these properties. It is advised that any manure from the proposal would be collected daily with some used on site as fertiliser to the boundary hedgerows and some offered to local farmers.
20. While the proposal would improve and formalise the facilities for the keeping of horses at the site, with its three stables, the level of activity would not be significantly more than currently exists. There is little substantive evidence that the proposal would significantly increase the number of horses kept in the field.
21. In relation to disturbance from potential intruder alarms, even though the threat of theft was noted as increasing, the area was identified as a low crime

and disorder area. Taking this and the separation to the dwellings together, it is evident that the risk of disturbance from this aspect would be low. There is little evidence provided to show that if an appropriate alarm system was used that it would cause significant disturbance.

22. Concern was raised by an interested party regarding the adverse effects the equestrian use was having on the residents on Thorn Hill View. This included safety and odour concerns from the use of the field access adjacent to the dwellings. However, the appellant advises that these were isolated circumstances caused by adverse weather and the need to remove a shipping container and the area has been fenced off. The proposal would further address these concerns by its general use of the southeast field access and by the daily visits to the horses which would ensure manure was appropriately managed.
23. Overall, it is unlikely that the proposal would give rise to additional harmful impacts from noise, odour or traffic over and above that which already exists on the site. The proposal would not adversely affect the living conditions of nearby residents. It would not conflict with Strategic Policy C and Policy CO20 of the Local Plan which seek, amongst other matters, for new development to not adversely impact upon the amenities of adjoining occupiers and not compromise local highway safety.

Other Matters

24. There is little evidence that the proposal would be used by the wider community for recreation; support tourism; contribute significantly to the local economy or deliver wider benefits for nature and support efforts to address climate change. Due to the visual harm it would cause, the proposal would not respect or be a sensitive addition to the character of the countryside. It would not meet the requirements of Paragraphs 88, 89 or 102 of the Framework which are aimed at supporting a prosperous rural economy and promoting health and safe communities.
25. Furthermore, the appeal site is not previously developed land, and the proposal would not represent a high quality, good or beautiful design and would do little in terms of creating a better place to live and work. It would not meet the requirements of Paragraphs 123, 124, 131 or 135 of the Framework which seek to ensure new development makes effective use of land and achieves well-designed and beautiful places.
26. Even without the proposal, the field can continue to be used for the grazing of horses or other agricultural purposes. It can also continue to support the equestrian heritage of North Yorkshire. There is little evidence to suggest that its agricultural significance, management, conservation or the preserving of the natural heritage of the NP would not continue. There is also little compelling evidence that the proposal would significantly improve these aspects.
27. It is asserted that the personal use of the stable supports the landowner's right to enjoy and utilise their property responsibly. However, planning seeks to act in the wider public interest and this right does not provide justification in itself to overcome the harm I have found.
28. While there have been no third-party objections and some positive feedback from interested residents including a veterinary letter of support received,

these do not render the scheme acceptable. I must determine the appeal on its own planning merits.

29. In support of the proposal, reference was made to planning permission given for an all-weather arena with associated works at Lodge Farm Moorsholm (LPA Ref: NYM/2022/0646). However, notwithstanding that the arena was separated from the main dwelling and the visual impact was found acceptable, due to the development differences a direct comparison between this and the proposed buildings before me cannot be made. Furthermore, the arena was found to improve the economic, social and environmental conditions of the area. These benefits have not been proven for the proposal before me. Overall, the arena is not directly comparable and does not change my view regarding the harm found. In any event I have considered the appeal on its own merits.
30. I have carefully considered the appellant's personal family circumstances in this case. While I recognise the importance that regular access to the outdoors and horses can provide to families including children and those with special needs, both from an educational and well-being perspective, it has not been shown that these cannot be met by the existing horse grazing use or in another way such as the use of an alternative stable and field location. Given that equivalent benefits may be capable of being achieved through a less harmful and intrusive form of development in the open countryside, I give the personal circumstances limited weight.

Planning Balance and Conclusion

31. The proposed development would be in a suitable location to the appellant's place of residence and would not harm the living conditions of nearby residents. It would also offer some positive benefits as identified above but even when taken in combination these attract limited weight in support of the appeal. As such, these matters and benefits would not outweigh the significant harm the proposal would have on the open countryside, the character and appearance of the surrounding area and the NP. For this reason, I consider the appeal should be dismissed.

J Symmons

INSPECTOR

Appeal Decision

Site visit made on 2 October 2024

by J Symmons BSc (Hons) CEng MICE

an Inspector appointed by the Secretary of State

Decision date: 2 December 2024

Appeal Ref: APP/W9500/W/24/3344530

Land south of St Margarets Church, Aislaby YO21 1SU

- 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 Ms J Birch against the decision of North York Moors National Park Authority (the LPA).
- The application Ref is NYM/2023/0857.
- The development proposed is erection of a mixed use agricultural and stable building.

Decision

1. The appeal is dismissed.

Preliminary Matters

2. As the site address was not shown on the application form, I have taken it from the LPA's Decision Notice and the Appeal Form. I have also added in the post code as shown on the LPA's questionnaire.
3. I have used the development description shown on the application form as no evidence has been presented to show a change had been agreed.
4. There is an ongoing enforcement case at the appeal site which is disputed. This is a separate matter between the main parties, and I have considered the appeal on the basis of the refusal of permission for the proposal before me.

Main Issue

5. The main issue in the determination of the appeal is the effect of the proposal on the character and appearance of the area and the North York Moors National Park (NP).

Reasons

6. The appeal site consists of an approximate 2.59 hectare agricultural field to the rear of the residential properties on Egton Road and the rear of St Margarets Church which is a Grade II Listed Building. It is located within the NP and outside of the Aislaby Conservation Area (CA). The field levels fall from the properties and the church to a fenced and mixed tree and hedgerow lined boundary. A track provides access to its bottom corner. The surrounding landscape is of open and rolling farmland which is typical for this part of the NP.
7. The proposal would be a pitched roofed 'L' shaped agricultural and stable building measuring approximately 20.4 metres (m) in length and 9.28m at its widest point, with a height of 2.45m to the eaves. It would be located against

the field's bottom boundary and towards the gated access, approximately 125m from the CA and the church.

8. Although the proposed building would only have a footprint of approximately 118m², it would still be a large, isolated building within a predominantly open field landscape. This isolated appearance would be further emphasised by the absence of other buildings nearby. The use of timber materials which would weather, dark coloured roofing and the proposal's positioning against a backdrop of trees and vegetation would do little to prevent the building appearing as a prominent and intrusive feature. It would not preserve the landscape and it would not be a positive addition in the surrounding open countryside and NP setting.
9. The proposal would be located at the lower area of the field and positioned to a degree away from the access, as shown on the provided photomerge. However, it would still be clearly visible in the distant views from Aislaby and the church and in the closer views from the track.
10. The appellant has offered the use of landscaping to screen and reduce the intrusion and prominence of the proposal, secured through an appropriately worded planning condition. However, no details of this have been provided, and I am not convinced that such landscaping could be assimilated naturally into the surrounding landscape and that it would not simply augment the presence of the built form and further emphasise the visual harm caused.
11. While the existing use and activity at the field have not been confirmed in any detail, the proposal would undoubtedly, with its five stables and livestock use, significantly increase both. These would, in conjunction with the proposed building's prominent and intrusive effect, adversely affect the NP's special qualities including harming the distinctive agricultural character of the field and adversely affecting the feeling of remoteness of the area.
12. There are no existing buildings on the field, and it has been advised that the proposal's size has been limited as far as possible to meet the keeping of Shetland ponies, livestock (including sheep breeding) and equipment storage. However, little substantive evidence has been provided to justify the size proposed. I am therefore unable to assess the need against the harm. Given that equivalent benefits may be capable of being achieved through a less harmful and intrusive development, I am not persuaded that the need justifies the harm.
13. To support the proposal, reference has been made to planning permissions NYM/2018/0596/FL for the creation of a manège for hobby use with an extension to the existing building and NYM/2023/0505 for the construction of a stable block. However, in the limited details provided, it is evident that the manège and extension were associated with an existing stable and equestrian use and the stable block was located within the domestic curtilage of the residential dwelling and not isolated. They therefore have a different setting and context compared with the proposal before me. As such they are not directly comparable, do not show an inconsistency in the LPA's decision-making process and do not change my consideration of the proposal or its harm.
14. A number of photographs of isolated buildings in the NP were also provided in support of the proposal. However, while the photographs show a range of isolated buildings in the NP, the details demonstrating how these buildings are

directly comparable in terms of such things as size, location, setting and context to the proposal before me have not been provided. The photographed buildings do not therefore justify the proposal or change my view on the harm caused.

15. The proposed development would significantly harm the character and appearance of the surrounding area and the NP. It would be contrary in this regard to Policy CO20 of the North York Moors National Park Authority Local Plan July 2020 (Local Plan) which seeks, amongst other matters, for equestrian development for private use to not have an unacceptable impact on the local landscape character or the special qualities of the NP.

Other Matters

16. The separation to the nearby residential properties would ensure resident living conditions would not be harmed and the use of low lighting would minimise light pollution. While some interested parties question the right to use the access track and raise concerns about the proposal's adverse effect on the track's surfacing and issues with parking and turning, the Highway Authority did not object to the principle of using the track for access. Notwithstanding the increased activity the proposal would cause, there is little to suggest the proposed use of the track would unacceptably compromise highway safety. However, the absence of harm from these matters would be a neutral factor which would not mitigate the proposal's large and intrusive impact and harm.
17. The appellant's residential unit is not closely associated with the proposal and the LPA considers this would be contrary to criterion 2 of Policy CO20 of the Local Plan. However, clear evidence of this has not been provided. Nor has the LPA shown that further facilities or development above that proposed would be required. The appellant indicates that no additional equestrian development would be necessary there is little reason to question this. I am therefore not convinced the proposal would be contrary to this part of the policy and I have not considered this aspect in my determination of the appeal.
18. The appellant has indicated an intention to undertake some ecological enhancement on the field to benefit local wildlife. However, detail of this have not been provided. Notwithstanding that some benefits to the area would be likely, I am not persuaded that these would overcome the significant visual harm the proposal would cause.
19. In considering the proposal, I have taken into account the representations in support of the proposal. However, none of the matters raised have led me to a different conclusion on the main issue.
20. The site lies next to but outside of the Aislaby Conservation Area (the CA). Paragraph 212 of the Framework states that new development within the setting of CAs should look for opportunities to enhance or better reveal their significance. The Framework defines the setting of a heritage asset as "the surroundings in which a heritage asset is experienced". The proposed development would be located some distant from the CA and would be disconnected from the historic street character. It would not intrude unduly on the appearance of the CA and would not harm the setting of the CA. However, lack of harm is a neutral factor.

21. Mindful of the statutory duty under section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, I have given special regard to the desirability of preserving the setting of St Margarets Church. Given the location, extent, and nature of the proposal, it would not alter how this building would be experienced or how its significance would be appreciated. As such, the proposal would have a neutral effect on the settings of the church and would not lessen the contribution the setting makes to its significance. I note the LPA raised no issues in this respect either.

Conclusion

22. For the reasons given above, and taking other matters raised into account, I conclude that the appeal should be dismissed.

J Symmons

INSPECTOR



Appeal Decision

Site visit made on 26 November 2024

by E Worthington BA (Hons) MTP MUED MRTPI IHBC

an Inspector appointed by the Secretary of State

Decision date: 14 January 2025

Appeal Ref: APP/W9500/Y/24/3349775

The Old Vicarage, 40 North End, Osmotherley, North Yorkshire, DL6 3BB

- The appeal is made under section 20 of the Planning (Listed Buildings and Conservation Areas) Act 1990 against a refusal to grant listed building consent.
- The appeal is made by Mr Duncan Ross Russell, against the decision of North York Moors National Park Authority.
- The application Ref NYM/2023/0607, dated 13 September 2023, was refused by notice dated 9 February 2024.
- The works proposed are described as 'to install replacement traditional weighted vacuum sealed sliding sash windows, for window location W07, 08, 09, 10, 12, 13 & 18 and Yorkshire sliding sash vacuum sealed windows for window location W11 and W19'.

Decision

1. The appeal is allowed and listed building consent is granted to install replacement traditional weighted vacuum sealed sliding sash windows, for window location W07, 08, 09, 10, 12, 13 & 18 and Yorkshire sliding sash vacuum sealed windows for window location W11 and W19, at The Old Vicarage, 40 North End, Osmotherley, North Yorkshire, DL6 3BB, in accordance with the terms of the application Ref NYM/2023/0607, dated 13 September 2023, subject to the conditions in Annex A.

Procedural Matters

2. Whilst not a reason for refusal, I am aware that the appeal property is within the Osmotherley Conservation Area. Since the works are in a conservation area and relate to a listed building, I have had special regard to sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the Act).
3. On 12 December 2024 the government published its revised National Planning Policy Framework (the Framework). Whilst this post-dates the evidence provided by the main parties in relation to this appeal, since the revised Framework's approach to the main issue in this case has not altered significantly, I confirm that all references to the Framework in this decision are to the updated 2024 version.

Main Issue

4. The main issue is whether the works would preserve a grade II listed building The Vicarage (Ref: 1294700) and any features of special architectural or historic interest that it possesses.

Reasons

The listed building

5. The appeal building is an early 19th century house built in ashlar with a Welsh slate roof over two storeys and three bays. The Authority advises that it was built in 1810 as a private dwelling and bequeathed to the church in 1873 for use as a vicarage. It is now in use as a private dwelling but maintains its appearance as a higher status dwelling in a central location within the village. The listing description refers to the windows as being four pane sashes with stone sills and flat stone lintels with incised voussoirs.
6. Most of the building's windows have already been replaced and are not historic. The existing windows are a mix of Georgian and Victorian style timber windows (three of which are historic and identified as numbers 15,16 and 22 on the submitted plans and photographs). The single glazed Georgian style windows to the south and east elevations (including numbers 7,8,9,10,11,12,13, 18 and 19 which are the subject of this appeal) were inserted in the 1990s. The Victorian style double glazed vacuum sealed windows to the north and west elevations are replacements provided in 2023 (numbers 1,2,3,4,5,6 and 14).
7. Whilst they are not historic, these replacement windows are of a traditional design and timber construction and the building retains its attractive character and traditional design, including the elegant form and pattern of its openings. It also maintains a consistent use of traditional materials, such as the use of timber for the windows and doors. Thus it retains its authenticity and still reads as an attractive higher order residential building in the context of the rural village.
8. From the evidence before me, insofar as it relates to this appeal, I find that the special interest of the listed building is drawn from its traditional appearance as a fine higher status dwelling, as well as from its remaining historic fabric and architectural features and openings, along with its use of traditional materials. All these elements are important overall to the special interest of the building in terms of this appeal.
9. The appeal building is within the Osmotherley Conservation Area. The Conservation Area Character Appraisal and Management Plan describes Osmotherley as an attractive village built on undulating ground. It retains many of the small historic features often lost in less historic places, including traditional windows and doors which collectively provide a strong historic character. I consider that the significance of the conservation area, in so far as it relates to this appeal, is mainly derived from the quality and variety of the historic buildings and the traditional historic townscape of the rural settlement.
10. The appeal property occupies an elevated position set back from North End behind a boundary wall and trees and is not prominent in the street scene there. Nevertheless, the building is visible in some views from North End particularly when the trees are not in leaf, and from the rear in Back Lane. Accordingly I find that the appeal property contributes positively to the historic character and appearance of the conservation area and its significance as a heritage asset in relation to this appeal.

The effect of the proposed works

11. The appeal scheme seeks to replace seven windows on the building's south facing elevation (numbers 7,8,9,10,11,12 and 13) and two windows on the ground floor of the north elevation (numbers 18 and 19). New timber vertical horizontal sliding sashes would be provided to match the style of the existing windows. They would be vacuum sealed double glazing with 22mm timber and putty face applied 'plant on' glazing bars and would be lead weighted operating on sash cords. They are sought in order to improve the thermal efficiency of the building.
12. As set out above, the existing windows which would be replaced are themselves later insertions. They are nevertheless of a traditional design and construction, single glazed and weighted and have structural glazing bars. As such, whilst they are not of historic interest, their design replicates the building's historic windows and follows their historic pattern. Accordingly they are of some aesthetic value and are generally sympathetic to the listed building thereby making a positive contribution to its significance.
13. Historic England's guidance¹ outlines the general approach when alteration or replacement requires listed building consent. This states in Section 6.1 paragraph 2, that where historic windows have already been replaced with windows whose design follows historic patterns, these usually make a positive contribution to the significance of listed buildings. When they do, they should therefore be retained and repaired where possible. If beyond repair, they should be replaced with accurate copies.
14. In terms of repair, the appellant advises that the poor quality timber used in the existing windows has failed. Their modern softwood construction has a limited life expectancy and they have been compromised due to lack of maintenance by the previous owners as well as subsequent repair works, and are now in need of further repair. Whilst the Authority indicates that the windows could be repaired, overhauled or retrofitted to improve thermal efficiency, I am aware that consent has been granted to install vacuum sealed units (VSUs) into the existing window sashes.
15. Although that consent has not been implemented, in approving those retrofitting works the Authority appears to have accepted that the windows do not need to be retained as existing, and that the works required to them go beyond simple repair. Whilst at the time of that consent it was considered that retrofitting VSUs would be achievable at the appeal property, the appellant has provided further technical evidence which indicates that this is not the case.
16. The survey report advises that the approved retrofitting works would compromise the existing frames of the windows in question. As set out above, the poor quality timber has failed and the majority of the window frames have been repaired previously. The survey report explains that these previous repair works include instances where full sections of timber have been re-installed, and others where splices have been used. These have weakened the frames and as a result of expansion and contraction and movement between the different timber sections water ingress has caused the windows to be compromised. The survey report finds that the installation of VSUs is not practicable in these circumstances.

¹ Traditional Windows: their care, repair and upgrading, Historic England, 8 February 2017

17. Accordingly, the implementation of the retrofit consent has been ruled out by the appellant. Whilst the Authority refers to recent examples in the village where windows with similar glazing bars have been successfully retrofitted, I cannot be sure that the circumstances that led to those works are the same as in the case before me and have seen no substantiated evidence from the Authority that would lead me to question the validity of the appellant's technical findings on this matter.
18. Turning to the proposed replacement windows, whilst no concerns are raised as to the principle of slimline double glazing, the Authority objects to the use of the 'plant on' glazing bars (as opposed to structural glazing bars). I appreciate that the units approved for the retrofitting scheme have structural glazing bars, as do the more recently approved double glazed windows.
19. Historic England's Advice Note 18 (HEAN 18)² outlines approaches to improving energy efficiency and supporting carbon reduction of historic buildings. Paragraph 82 indicates that in the case of windows which contribute positively to the building's special interest these should not be replaced, although their panes could be replaced within the existing frames. It continues to advise that stuck-on or applied glazing bars rarely replicate the character of historic windows and are unlikely to be acceptable.
20. That said, the glazing bars proposed in this case would not be applied in the same way as all timber glazing bars would be to a modern window. The internal glazing bars would be rebated into the sash frame in the same way as a traditional sash window. The timber glazing bars on the external side of the window would be face applied and sealed using a specialist heritage putty compound and painted white. They would be securely fitted and appear as traditional putty pointed glazing bars displaying the same minor imperfections. The minimal void between the inner and outer panes of glass within the 7.7mm VSUs would be so narrow as to be virtually undetectable.
21. This being so, I am not persuaded that the glazing bars would give the impression of being tacked on, or appear to be floating on the glass surface. Nor would they appear as if they could easily come off, or have the effect of making the windows look 'cheap' as suggested by the Authority. Although they would lack the subtle variations in reflection and tone associated with multiple singular glazed panes, the proposed windows would nevertheless give the appearance of separate panes of glass and be appreciated as high quality workmanship. The sample window unit which was considered by the Authority was available at my site visit, where I was able to compare it directly to the existing windows. I observed that there was no readily discernible difference between the two.
22. I accept that the proposed works would not reflect the traditional craftsmanship or joinery details of the existing multi-paned windows. They would also result in further incremental changes to the windows at the appeal property. Nevertheless, I find that in practical terms the proposed windows would effectively appear the same as those they would replace. Accordingly, I consider that they would be an accurate copy and am satisfied that the glazing bars in this instance would replicate the character of the windows which they would replace.

² Adapting Historic Buildings for Energy and Carbon Efficiency July 2024

23. The Authority is also concerned about the design of the replacement units which include window horns. It considers that these are not traditional features of multi-paned windows, or of the three remaining historic windows at the appeal property. That said, the appellant indicates that the sash horns are for technical rather than cosmetic reasons. They offer the tenon joins in the lower rails of the upper sash additional strength, and are necessary due to the additional weight of the VSUs compared to the single glazing they would replace. I am also conscious that sash horns are a feature of some of the existing windows at the appeal property. As such, I see no reason why these should not be replicated in the appeal scheme.
24. I have also considered the Authority's concern that the proposed windows would present issues for future repair and maintenance. I appreciate that if one pane in the proposed windows breaks the whole unit would have to be replaced (where as multiple separate glazed units could be repaired individually). However, the appellant confirms that the repair and maintenance of a full VSU as opposed to individual units is not problematic. The proposal would result in fewer units overall and it would be easier and more cost effective to repair a sash that is a single unit. Thus, I see no reason to resist the proposed works on this basis.
25. The appellant indicates that cost has also been a factor in determining the proposed works. The submitted cost options breakdowns show an option with rebated glazing bars to me more expensive than the face applied bars included in the appeal scheme. The Authority refers to the option to retrofit the VSUs into the existing frames with structural glazing bars, which would cost less than the replacement windows as sought. The availability of grant funding towards the overhaul of traditional windows is also highlighted. Nevertheless, as set out above, this option has been ruled out by the appellant.
26. Paragraph 167 of the Framework is clear that local authorities should give significant weight to supporting energy efficiency and low carbon heating improvements to existing buildings including listed buildings. The proposed works would support energy efficiency and would provide enhanced draft proofing and thermal efficiency in comparison to retrofitting.
27. Having regard to all these factors, and taking a pragmatic approach given the particular circumstances of this case, I am satisfied that the listed building's traditional appearance and materials, along with its architectural form, features and proportions, as well as its remaining historic fabric, would not be diminished as a result of the appeal scheme. I therefore conclude on the main issue that, on balance, the proposed windows would preserve the listed building and the features of special architectural or historic interest that it possesses.
28. Since there would be no harm to the listed building, which also contributes positively to the significance of the conservation area as described above, I am satisfied that the proposed works would not detrimentally affect how the conservation area is experienced. Thus, with my statutory duty in mind, I am content that the proposed works would also preserve the significance of the conservation area and its character and appearance.
29. In coming to this view I have had regard to an appeal that was dismissed at Demesne Farm (APP/W9500/Y/22/3305119). That scheme was for timber windows with applied glazing bars. However, I am not aware of the full

circumstances that led to that decision and so cannot be sure that they are the same as in the case before me. I note for example that that scheme was for modern 24mm double glazed units with timber face applied glazing bars (rather than for vacuum sealed 7.7mm units sealed with putty as in this case) and featured sandwiched dividers evident behind the applied glazing bars. In contrast to that scheme, for the reasons given above, I am not persuaded that the windows in this case would be clearly identifiable as non-traditional modern fixtures.

30. Overall, I find that the proposed works would satisfy the requirements of the Act and the Framework. They would also accord with Policy ENV11 of the North York Moors Local Plan (LP) which states that proposals should reinforce historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction methods with high standards of design to conserve and enhance the built heritage. Nor would they undermine this policy's requirement that adapting assets for climate change mitigation should not harm the heritage value of any asset.
31. Furthermore there would be no conflict with LP Strategic Policy I which indicates that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate enhancement of the historic environment. Whilst I am mindful that listed building appeals are not subject to Section 38(6) of the Planning and Compulsory Purchase Act 2004 and so do not need to be determined in accordance with the development plan, I have had regard to these matters as a material consideration.
32. I have also considered the purposes of the North York Moors National Park to conserve and enhance the natural beauty, wildlife and cultural heritage of the National Parks and to promote opportunities for the understanding and enjoyment of the special qualities of the Parks by the public, and am satisfied that the proposed works would have no adverse effect on these.

Conclusion and Conditions

33. For the reasons set out above, and having regard to all the other matters raised, I conclude that the appeal should be allowed.
34. The Authority has suggested conditions which I have considered in light of the advice in the Framework. I have amended the Authority's wording in the interests of precision and brevity. The standard time limit condition is necessary in the interests of clarity. To ensure certainty, I have attached a condition which requires the works to be carried out in accordance with the plans and details. Further conditions are also required to ensure that trickle vents are not inserted to the windows and that suitable reveals are provided. Conditions to ensure the windows are painted to match the existing windows and that appropriate pointing is provided to the reveals are also imposed. These conditions are all necessary in order to preserve the special interest of the listed building.

E Worthington

INSPECTOR

Annex A

- 1) The works hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The works hereby permitted shall be carried out in accordance with the following approved plans/details: Location Plan, Existing South Side Elevation Photo, Existing North Side Elevation Photo, Section Drawing A for windows 7,8,9,10,12,13 and 18 Existing and Proposed, Section Drawing B for windows 7,8,9,10,12,13 and 18 Existing and Proposed, Section Drawing A for windows 11 and 19 Existing and Proposed, Section Drawing B for windows 11 and 19 Existing and Proposed, W07 Existing and Proposed Window Drawing, W08 Existing and Proposed Window Drawing, W09 Existing and Proposed Window Drawing, W10 and W18 Existing and Proposed Window Drawing, W11 Existing and Proposed Window Drawing, W12 and W13 Existing and Proposed Window Drawing, W19 Existing and Proposed Window Drawing, Document 5 dated 20 November 2023 Overview of Various Glazing Bars, and Document C-C Sash Section Drawing.
- 3) External trickle vents shall not be incorporated into the windows hereby permitted.
- 4) The external face of the frame of the windows hereby permitted shall be set in with a reveal of a minimum of 50 mm from the front face of the adjacent walling and shall be retained as such thereafter.
- 5) The frames of the windows hereby permitted shall be painted to match the existing windows and maintained as such thereafter.
- 6) The reveals of the windows hereby permitted shall be pointed in burnt sand mastic or lime mortar (not cement) leaving stone reveals clean of mortar. Any mortar mix used should be based on a typical mix of a non-hydraulic quicklime mortar mixed at a ratio of 1:3 (dry non-hydraulic quicklime: sand). Expandable foam must not be used. The pointing shall be maintained as such thereafter.

Appendix D

List of applications determined by the Director of Planning in accordance with the scheme of delegation for the period of 12 November 2024 to 21 January 2025.

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)

Application reference: NYM/2024/0652

Listed Building consent for internal alterations, replacement roof covering, installation of replacement timber double glazed sash windows, removal of window and replacement with door together with laying of patio and path at Merry Hall, Boltby for Mr and Mrs Jo and David Broadbent.

Granted on 15/11/2024

Application reference: NYM/2024/0661

Variation of condition 3 of planning approval NYM/2022/0537 to allow the relaxation of the local occupancy condition for a five year period at The Old School House, Kirby Knowle for Mr C Furness.

Approved on 15/11/2024

Application reference: NYM/2024/0670

Installation of ground mounted solar array (eight panels) at 18 West End, Osmotherley for Ms Marian Wilsdon.

Approved on 15/11/2024

Application reference: NYM/2024/0688

Demolition of outbuilding and construction of garden office at Middle Farm, Thimbleby for Mr and Mrs Beaumont.

Approved on 03/12/2024

Application reference: NYM/2024/0689

Listed Building consent for demolition of outbuilding and construction of garden office together with internal alterations to dwelling to create en-suite bathroom at Middle Farm, Thimbleby for Mr and Mrs Beaumony

Granted on 03/12/2024

Application reference: NYM/2024/0763

Trees in Conservation Area works comprising of felling two Ash trees and two other large Ash trees already fallen to be cut down to ground level at TPO 1984/5 Roseberry Topping (W1) for Mr Gareth Wilson.

No objections on 10/12/2024

Application reference: NYM/2024/0831

Certificate of lawfulness for repointing rear elevation of stone outbuilding at Merry Hall, Boltby for Mrs Claire Broadbent.

Issued on 18/12/2024

Application reference: NYM/2024/0827

Verification check of conditions 4 and 6 of planning approval NYM/2023/0354 at The Chantry, Coxwold for Mr and Mrs Davidson.

Decided on 19/12/2024

Application reference: NYM/2024/0739

Construction of wall (retrospective) at Finklegates, Hawnby Road, Osmotherley for Mr Rodney Holland.

Approved on 23/12/2024

Application reference: NYM/2024/0813

Listed Building consent for installation of cast iron guttering and downpipes to west elevation of westerly range of outbuildings at Merry Hall, Boltby for Mrs Claire Broadbent.

Granted on 10/01/2025

Application reference: NYM/2024/0820

Installation of replacement timber double glazed windows and timber door to south elevation at 32 West End, Osmotherley for Mr S Foster.

Approved on 14/01/2025

Application reference: NYM/2024/0830

Removal of uPVC cladding and re-rendering of front elevation and construction of single storey rear extension at Dunelm Lodge, Faceby for Mr & Mrs Burgess.

Approved on 20/01/2025

North Yorkshire Council (Rye)

Application reference: NYM/2024/0657

Use of land for the permanent siting of one shepherd's hut for holiday letting purposes together with erection of WC and shower block and installation of septic tank (retrospective) at Dale Head Farm, Daleside Road, Rosedale East for Mrs M Barraclough.

Approved on 13/11/2024

Application reference: NYM/2024/0683

Demolition of lean-to porch and chimney and alteration to fenestration and doors to annexe at 14 Bridge Street, Helmsley for Mr Obank.

Approved on 15/11/2024

Application reference: NYM/2024/0718

Certificate of lawfulness for removal of lapped sarking felt, replacement with a build-up of lath and lime mortar and relaying of ridge and clay pantiles to both roof slopes of Building VB5 at Moor Houses, Rudland Road, Bransdale, Fadmoor for National Trust.

Issued on 18/11/2024

Application reference: NYM/2024/0271

Erection of building for storage/workshop purposes associated with land management, bee keeping and sheep rearing at Rawcliffe Bank Top Farm, Low Moor Road, Newton on Rawcliffe for Mrs Keren MacMillan.

Approved on 19/11/2024

Application reference: NYM/2024/0722

Trees in Conservation Area works comprising of felling five Leylandii and reducing Goat Willow to mitigate for tight union at bole at The Barn Guesthouse, Hutton le Hole for Mrs Caroune Edwards.

No objections on 19/11/2024

Application reference: NYM/2024/0734

Trees in Conservation Area works comprising of felling two Elm at rear of garden, crown lift to small Elm and Sycamore to increase light into garden, crown reduce and lift to Yew and cut back Mulberry where encroaching on property at Rose Cottage, Oswaldkirk for Mr Michael Oakley.

No objections on 19/11/2024

Application reference: NYM/2024/0766

Trees in Conservation Area works comprising of felling Hawthorn (T1), Holly (T2), Beech x 2 (G3), assorted Ash/Sycamore (G4), 3 Ash (G13), and a group of Holly/Ash/Sycamore (G16) at Beck Garth, Hutton le Hole for Mr Ivan Shaw.

No objections on 19/11/2024

Application reference: NYM/2024/0660

Change of use of holiday cottages (Units 1, 2 and 3) to dual use as either local needs dwellings or holiday lets and change of use of holiday let (Unit 4) to dual use as annexe accommodation or holiday let together with installation of flues to Units 3 and 4 and change of window to door to Unit 4 at Rawcliffe House Farm, Stape Road, Stape for Mr John Allsopp.

Approved on 20/11/2024

Application reference: NYM/2024/0672

Variation of condition 9 of planning approval NYM/2023/0850 to allow the siting and occupation of one shepherd's hut for three years prior to the creation of the highway passing place at Land off Sutherland Road, Cropton for Mr Russell Stripling Scott.

Approved on 21/11/2024

Application reference: NYM/2024/0731

Verification check of conditions 4 and 5 of planning approval NYM/2024/0545 at located west of Pineview Lodge, off Low Moor Road, Stape for Forestry England.

Decided on 26/11/2024

Application reference: NYM/2024/0783

Non material amendment to planning approval NYM/2023/0639 to allow retention of hayloft and addition of glazing together with alterations to approved fenestration and bi-fold doors at Little Owl, The Green, Fadmoor for Mr Sam Laycock.

Approved on 26/11/2024

Application reference: NYM/2024/0697

Use of part of outbuilding as garage/store for Brookfield at Brookfield, Maltongate, Thornton le Dale for Mrs Gillian Forster.

Approved on 28/11/2024

Application reference: NYM/2024/0701

Listed Building consent for blocking up of two openings and formation of new internal opening at Brookfield, Maltongate, Thornton le Dale for Mrs Gillian Forster.

Granted on 28/11/2024

Application reference: NYM/2024/0785

Trees in Conservation Area works comprising of crown lifting Beech, Tibetan Cherry and felling one Sycamore at Tranmire, High Street, Lastingham for John Cooper.

No objections on 28/11/2024

Application reference: NYM/2024/0720

Removal of existing porch roof and construction of timber porch at High Grange House, South Lane, Thornton le Dale for Mr Jon Geddes.

Approved on 29/11/2024

Application reference: NYM/2024/0784

Verification check of condition 6 of planning approval NYM/2023/0639 at Little Owl, The Green, Fadmoor for Mr Sam Laycock.

Decided on 02/12/2024

Application reference: NYM/2024/0634

Verification check of conditions 5, 6 and 7 of planning approval NYM/2024/0225 at South View, Yatts Road, Pickering for Mr Duncan Bulmer.

Decided on 03/12/2024

Application reference: NYM/2024/0746

Listed Building consent for 'like for like' re-roofing of the westerly elevation of traditional stone two storey barn at Cherry Tree Farm, High Street, Lockton for Mr Tom Heathcote.

Granted on 05/12/2024

Application reference: NYM/2024/0748

Verification check of condition 6 of planning approval NYM/2024/0494 at 24 Castlegate, Helmsley for Mr and Mrs Damien Byrne Hill.

Decided on 09/12/2024

Application reference: NYM/2024/0756

Trees in Conservation Area works comprising of reducing Beech (T1), reducing height of Goat Willow(T2), felling Beech (T3) and reducing Hazel (T4) for Mr Robert Clarke.

No objections on 10/12/2024

Application reference: NYM/2024/0735

Construction of single storey side extension at The Bumbles, 5 Hallgarth Lane, Thornton le Dale for Mr & Mrs Rajab.

Approved on 10/12/2024

Application reference: NYM/2024/0555

Alterations to garage to facilitate use as additional living space together with alterations to fenestration at Chapel Garth, Fangdale Beck for Mr Michael Gaughan.

Approved on 11/12/2024

Application reference: NYM/2024/0736

Erection of covered feed area for livestock at Low Thorgill Farm, Rosedale, Pickering for A & J Myers.

Approved on 11/12/2024

Application reference: NYM/2024/0758

Variation of condition 2 (material amendment) of planning approval NYM/2021/0954/FL to allow a revised position, reduction in footprint, layout and design of approved ancillary building at Peat Rigg Outdoor Training Centre, Sutherland Lane, Cropton for Peat Rigg Outdoor Training Centre.

Approved on 11/12/2024

Application reference: NYM/2024/0759

Change of use of domestic outbuilding to dual use as either annexe or short term holiday let (no external alterations) at Abbey House, Byland Road, Byland Abbey for Mr T Porritt.

Approved on 11/12/2024

Application reference: NYM/2024/0771

Demolition and rebuilding of wall and creation of pedestrian access with gate (part retrospective) at Amadys, Church Lane, Thornton le Dale for Ms Michelle Bee.

Approved on 13/12/2024

Application reference: NYM/2024/0775

Verification check of condition 8 of planning approval NYM/2022/0728 at 3 Main Street, Gillamoor for Stephen Casey.

Decided on 13/12/2024

Application reference: NYM/2024/0690

Listed Building consent for installation of door to the bottom of the stairs at Woodview, Hutton le Hole for Mrs Glynis Ludkin.

Granted on 16/12/2024

Application reference: NYM/2024/0617

Construction of two storey rear extension, alterations to garage to provide annexe accommodation, removal of tin shed and siting of oil tank at Kirby House, Main Street, Cold Kirby for Cath Beckett.

Approved on 18/12/2024

Application reference: NYM/2024/0618

Listed Building consent for internal alterations, construction of two storey rear extension and alterations to garage to provide annexe accommodation at Kirby House, Main Street, Cold Kirby for Cath Beckett.

Granted on 18/12/2024

Application reference: NYM/2024/0744

Listed Building consent for installation of one miniature connectorized box terminal and associated cabling to side elevation at 9 Market Place, Helmsley for Openreach

Granted on 18/12/2024

Application reference: NYM/2024/0821

Trees in Conservation Area works comprising of fell four Lawson cypress at Rievaulx Bridge, Rievaulx for Mr Christopher Nichols.

No objections on 18/12/2024

Application reference: NYM/2024/0848

Verification check of condition 11 of planning approval NYM/2024/0313 at 14 Bridge Street, Helmsley for Bramhall Blenkarn Leonard.

Decided on 19/12/2024

Application reference: NYM/2024/0673

Construction of single storey rear extension at Beck Cottage, 5 High Street, Helmsley for CKL Properties Limited.

Approved on 20/12/2024

Application reference: NYM/2024/0767

Demolition of existing sun room and construction of replacement oak framed orangery at Appleton House, Headlands Road, Appleton le Moors for Mr Peter Bryan.

Approved on 20/12/2024

Application reference: NYM/2022/0541

Proposed creation of track, turning point and borrow pit to facilitate the harvesting of commercial timber on the site and reinstatement of twin-trod track and restoration works no later than eight years following road construction (revised scheme following withdrawal of NYM/2016/0438/FL) at land located west of Bransdale Road and Scot Ridge/Clegret Bank, Bransdale for Forestry England.

Approved on 20/12/2024

Application reference: NYM/2024/0487

Listed Building consent for dismantling of historic mill workings in the extension part of the building at Bransdale Mill, Bransdale for National Trust.

Granted on 23/12/2024

Application reference: NYM/2024/0542

Listed Building consent for alterations to internal walls at first floor level to convert five staff bedrooms into four en-suite guest rooms at Black Swan Hotel, Market Place, Helmsley for The Inn Collection Group.

Granted on 23/12/2024

Application reference: NYM/2024/0860

Verification check of condition 3 of Listed Building consent NYM/2024/0746 at Cherry Tree Farm, Lockton for Tom Heathcote.

Decided on 23/12/2024

Application reference: NYM/2024/0799

Listed Building consent for erection of replacement and new section of metal 'estate style' fencing at Cherry Tree Farm, High Street, Lockton for Mr Tom Heathcote.

Granted on 02/01/2025

Application reference: NYM/2024/0800

Construction of replacement pitched roof to existing extension at 9 Aunums Close, Thornton le Dale for Mr Andrew O'Connell.

Approved on 06/01/2025

Application reference: NYM/2024/0754

Construction of cycle trail/track with technical areas at Peat Rigg Outdoor Training Centre, Sutherland Lane, Cropton for Tees Foundation.

Approved on 09/01/2025

Application reference: NYM/2024/0717

Creation of two wildlife ponds at land south of Sutherland Ford and east of Sutherland Road, Cropton for Mr Russell Stripling Scott.

Approved on 10/01/2025

Application reference: NYM/2024/0809

Demolition of outbuildings together with alterations and construction of single storey side extension to dwelling at Krithia, Westgate, Thornton le Dale for Carolyn & Lynne Romer & Hopwood.

Approved on 10/01/2025

Application reference: NYM/2024/0777

Erection of extension to existing building to house livestock at Westfield Farm, Boonhill Road, Fadmoor, Kirkbymoorside for HB Farms.

Approved on 15/01/2025

Application reference: NYM/2024/0778

Alterations, construction of front porch and single storey timber clad rear extension at 7 Feversham Road, Helmsley for Mr & Mrs Dexter-Smith.

Approved on 15/01/2025

Application reference: NYM/2024/0798

Erection of replacement and new section of metal 'estate style' fencing, change of use of agricultural land to garden and erection of greenhouse at Cherry Tree Farm, High Street, Lockton for Mr Tom Heathcote.

Approved on 15/01/2025

Application reference: NYM/2024/0710

Installation of replacement double glazed timber windows and door to east and north elevations, and removal of shutters at Oban Cottage, Maltongate, Thornton le Dale for Mrs Gillian Marshall.

Approved on 16/01/2025

Application reference: NYM/2024/0406

Listed Building consent for internal works comprising of but not limited to, wall openings, studwork, plastering, doors, architraves, skirting, coving, insulation, ceilings, WC's, stair balustrades, blockwork removal, flooring and render repairs at Comber House, Church Hill, Thornton le Dale for Mr and Mrs Bell.

Refused on 17/01/2025

Application reference: NYM/2024/0745

Listed Building consent for installation of two miniature connectorized box terminals and associated cabling to front elevation at 17 Church Street, Helmsley for Openreach.

Granted on 20/01/2025

North Yorkshire Council (Sca)

Application reference: NYM/2024/0421

Installation of package treatment plant, use of land for the siting of a caravan for a temporary two year period and creation of a temporary set down area for construction purposes at Glebe Farm, Lealholm Lane, Lealholm for Mr C Hunter.

Approved on 12/11/2024

Application reference: NYM/2024/0591

Erection of manure storage building at land south east of Ellis Close Farm located east of Harwood Dale Road, Cloughton for P.Train Ltd.

Approved on 13/11/2024

Application reference: NYM/2024/0548

Installation of ground mounted solar array (two rows of six panels) at land to the rear of Prospect House, Lealholmside for Mr Robert Whitehead.

Approved on 15/11/2024

Application reference: NYM/2024/0663

Construction of single storey side extension at White Cottage, Goathland for Mrs J Tucker.

Approved on 15/11/2024

Application reference: NYM/2024/0711

Verification check of condition 3 of planning approval NYM6/4/3116 to confirm compliance with agricultural worker occupancy restriction at Ravenstone, Blue Bank, Sleights for Mr and Mrs Thomas.

Decided on 15/11/2024

Application reference: NYM/2024/0727

Trees in Conservation Area works comprising of felling Birch (E) due to dieback in crown and honey fungus bark killing at base, reducing crown Ash (A), reducing crown Cypress (B), reducing crown Ash (F), reducing crown Beech (C), reducing crown Birch x two (G & H) at Cashel, The Common, Goathland for Mr Philip Latchford.

No objections on 19/11/2024

Application reference: NYM/2024/0729

Trees in Conservation Area works comprising of reducing crown on Sycamore which is encroaching on the property at Keld Cottage, The Common, Goathland for Mr Dennis Hudson.

No objections on 19/11/2024

Application reference: NYM/2024/0776

Verification check of condition 3 of planning approval NYM/2007/0902/FL to confirm compliance with local occupancy condition at Birch Cottage, Postgate Way, Ugthorpe for Mr David Linley

Decided on 19/11/2024

Application reference: NYM/2024/0662

Verification check of condition 4 of planning approval NYM/2024/0298 at 15 Church Street, Castleton for Jason Knight.

Decided on 21/11/2024

Application reference: NYM/2024/0234

Erection of agricultural storage building (retrospective) at Keasbeck Farm, Harwood Dale for Mr Christopher Pickering.

Approved on 22/11/2024

Application reference: NYM/2024/0599

Insertion of dropped kerb and creation of driveway at 140 High Street, Hinderwell for Mr David Flanagan.

Approved on 22/11/2024

Application reference: NYM/2024/0668

Creation of wildlife pond and two scrapes at White Lodge Farm, Langdale End, Scarborough for Mr Mark Hayes.

Approved on 22/11/2024

Application reference: NYM/2024/2024/0629

Demolition of attached garage and extension and construction of two storey and single storey extensions, together with removal of shed and erection of timber garage and carport at Lanara, Mires Lane, Newholm for Mr Peter Bean.

Approved on 26/11/2024

Application reference: NYM/2024/0702

Verification check of condition 4 of planning approval NYM/2024/0294 at Low Newbiggin House, Egton for Mr Michael Powell.

Decided on 26/11/2024

Application reference: NYM/2024/0713

Change of use from a residential dwelling (Use Class C3) to ancillary hotel staff accommodation (Use Class C1), construction of replacement rear extension, ramped access to front door and boundary treatment/landscaping works at 17 Bank Top Lane, Runswick Bay for Octopi Property Ltd (c/o DPP).

Approved on 26/11/2024

Application reference: NYM/2024/0680

Installation of replacement oil tank, boundary fencing and gate at Wheathill Cottage, The Common, Goathland for Mr Phillip Newton.

Approved on 28/11/2024

Application reference: NYM/2024/0761

Trees in Conservation Area works comprising of reducing branches of Horse chestnut at Chadhurst, 41 Pickering Road, West Ayton for Mr Richard Vincent.

No objections on 28/11/2024

Application reference: NYM/2024/0782

Trees in Conservation Area works comprising of reducing crown of London Planes (T1 and T2), crown lift Copper Beech (T3) and crown reduce 2 Beech (T4 and T5) at 39 Pickering Road, West Ayton, YO13 9JE for Abrines.

No objections on 28/11/2024

Application reference: NYM/2024/0790

Trees in Conservation Area works comprising of felling Whitebeam (T2) at Oak Tree House, Egton Bridge, YO21 1XE for Mrs Julie Money.

No objections on 28/11/2024

Application reference: NYM/2024/0769

Trees in Conservation Area works comprising of felling Monterrey Cypress at Orchard Cottage, 19 Hall Garth Lane, West Ayton for Cllr David Jeffels.

No objections 28/11/2024

Application reference: NYM/2024/0448

Insertion of dropped kerb and creation of driveway (resubmission following the withdrawal of NYM/2024/0021) at 2 Whitby Road, Staithes for Mr Lee Graham.

Approved on 29/11/2024

Application reference: NYM/2024/0682

Listed Building consent for installation of four rooflights to garage, removal of existing oil tank and boiler within garage, installation of replacement external boiler and light fittings at Wheathill Cottage, The Common, Goathland for Mr Phillip Newton.

Granted on 02/12/2024

Application reference: NYM/2024/0447

Construction of one open-market dwelling with associated parking, amenity space and landscaping works together with parking space to serve 43 Main Street at rear of 43 Main Street, East Ayton for Mr D Allanson.

Refused on 03/12/2024

Application reference: NYM/2024/0703

Proposed extension to existing car park at land adjacent existing car park at Goathland Community Hub and Sports Pavilion, Goathland for Mr Kevin Mayes.

Approved on 04/12/2024

Application reference: NYM/2024/0789

Non material amendment to planning approval NYM/2017/0505/MEIA to allow design amendments to service shaft and production shaft buildings comprising changes to fenestration and doors and additional cladding at Woodsmith Mine, Sneaton for Anglo American Woodsmith Limited.

Approved on 04/12/2024

Application reference: NYM/2024/0796

Non material amendment to planning approval NYM/2015/0197/FL to allow installation of air source heat pump with trellis fencing at Ryefield, Hackness Road, Scalby for Mr Barry Ricketts.

Approved on 04/12/2024

Application reference: NYM/2024/0708

Construction of timber boarded double garage with car port, gym and storage together with creation of driveway at Park Hall, Main Road, Aislaby for Mr & Mrs Stevenson.

Approved on 05/12/2024

Application reference: NYM/2024/0723

Removal of conditions 5 and 22 of planning approval NYM/2023/0769 to remove the option of holiday letting and to sever the tie of the two units from Browside Farm at Browside Farm, Common Lane, Glaisdale for Mr K and Mrs S McMullen.

Approved on 05/12/2024

Application reference: NYM/2024/0743

Conversion of garage/outbuilding to dual use as either annexe or holiday letting cottage at Highmoor Croft, Main Street, Hutton Buscel for Ms Hayley Richardson.

Approved on 05/12/2024

Application reference: NYM/2024/0764

Verification check of condition 19 of Listed Building consent NYM/2021/0835/LB at Red Farm Barns, High Street, Egton for The Mulgrave Estate.

Decided on 10/12/2024

Application reference: NYM/2024/0765

Verification check of condition 16 of planning approval NYM/2021/0832/FL at Red Farm Barns, High Street, Egton for The Mulgrave Estate.

Decided on 10/12/2024

Application reference: NYM/2024/0664

Advertisement consent for the display of three non-illuminated signs and hoarding with artwork at West Ayton Highways Depot, Garth End Road, West Ayton for Brierley Homes.

Granted on 10/12/2024

Application reference: NYM/2024/0681

Subdivision of dwelling to create a dwelling with holiday letting unit at Bannial Flats Cottage, Guisborough Road, Whitby for Mrs L Smith.

Approved on 11/12/2024

Application reference: NYM/2024/0751

Variation of condition 3 of planning approval NYM/2013/0602/FL to allow the use of the hardstanding touring caravan pitches for holiday letting purposes all year round at Whitby Holiday Park, Whitby for Normanhurst Enterprises Ltd.

Approved on 11/12/2024

Application reference: NYM/2024/0757

Demolition of existing garage and shed and construction of detached double garage at Rudda Howes, Rudda Road, Staintondale for Mr and Mrs Russell and Fiona Moxham.

Approved on 11/12/2024

Application reference: NYM/2024/0805

Non material amendment to planning approval NYM/2024/0205 to allow a reduction in depth of the window reveal to 50mm at The Lilacs, Scar Lane, West Barnby for Mr M Greenwood.

Approved on 11/12/2024

Application reference: NYM/2024/0644

Digging of trench to lay cables to facilitate to heating upgrade of Church at through field adjoining and Churchyard of St Oswald's Church, High Street, Lythe for St Oswald's Church.

Approved on 13/12/2024

Application reference: NYM/2024/0841

Verification check of condition 7 of planning approval NYM/2024/0668 at White Lodge Farm, Langdale End, Scarborough for Mr Mark Hayes

Decided on 13/12/2024

Application reference: NYM/2024/0462

Verification check of conditions 5, 6, 7, 8, 9, 10 and 12 of planning approval NYM/2023/0343 and conditions 3, 4, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15 and 17 of Listed Building consent NYM/2023/0345 at Manor House Farm, Troutsdale for Mr John Guthrie.

Decided on 20/12/2024

Application reference: NYM/2024/0762

Erection of agricultural livestock building at Wilks Farm, Shortwaite, Lealholm for J H Hutchinson and Son Ltd.

Approved on 20/12/2024

Application reference: NYM/2024/0793

Variation of condition 2 (material amendment) to planning approval NYM/2024/0208 to allow construction of a dormer window to rear of approved first floor extension at Chyne Cottage, Raw Lane, Raw for Mr & Mrs P & J Dalton.

Approved on 20/12/2024

Application reference: NYM/2024/0780

Verification check of conditions 6 and 7 of NYM/2024/0110 at Brookfield Farm, Ashfield Road, Castleton for Vicki Tarrant.

Decided on 23/12/2024

Application reference: NYM/2024/0753

Construction of roof over bay window and front door at Bay View, Thorpe Lane, Robin Hoods Bay for Miss Karen Saxton.

Approved on 24/12/2024

Application reference: NYM/2024/0856

Non material amendment to planning approval NYM/2024/0205 to allow alterations to fenestration and doors together with addition of coping stones at The Lilacs, Scar Lane, West Barnby for Mr M Greenwood.

Approved on 06/01/2025

Application reference: NYM/2024/0871

Verification check of condition 2 of outline planning approval NYM/2003/0861/OU to confirm compliance with local occupancy restriction at Pasture House, Hall Lane, Glaisdale for Mr Carl Richard and Mrs Nicola Kirkbride.

Decided on 06/01/2025

Application reference: NYM/2024/0808

Alterations and use of garage/storeroom as living space at 101 Staithes Lane, Staithes for Ghani.

Approved on 07/01/2025

Application reference: NYM/2024/0787

Alterations and construction of single storey rear extension with terrace to lodges 5 and 6 and change of use of building to event space at Raven Hall Country House Hotel Lodges and Golf Course, Raven Hall Road, Ravenscar for Modnarway 3 Ltd.

Approved on 08/01/2025

Application reference: NYM/2024/0810

Removal of existing single storey rear extension and construction of two storey rear extension together with construction of extension to store workshop at Heathfield, Thorpe Lane, Robin Hoods Bay for Mr & Mrs A & S Martin.

Approved on 08/01/2025

Application reference: NYM/2024/0575

Installation of replacement uPVC double glazed windows to front elevation (retrospective) at Ivy Cottage, High Street, Egton for Mr & Mrs Withers.

Refused on 09/01/2025

Application reference: NYM/2024/0781

Insertion of new timber door at Yedmandale Bungalow, Yedmandale Road, West Ayton for Mr H Clough.

Approved on 09/01/2025

Application reference: NYM/2024/0792

Listed Building consent for removal of internal door in pantry wall and blocking up of opening at The Wheatsheaf Cottage, Egton for Mr Nigel Pulling.

Granted on 09/01/2025

Application reference: NYM/2024/0791

Listed Building consent for installation of replacement slimline double glazed timber windows at Ladysmith Farm, Browside, Ravenscar for Mr Tom Jones.

Granted on 10/01/2025

Application reference: NYM/2024/0806

Removal of conditions 3, 4, 8, 9 and 11 of planning approval NYM/2011/0665/FL to allow the amalgamation of the dwelling and holiday let into a single residential unit and the use of uPVC windows and doors at 51 Rosedale Lane, Port Mulgrave for K Chadfield.

Approved on 10/01/2025

Application reference: NYM/2024/0844

Verification check of conditions 3 & 4 of planning approval NYM/2024/0486 at Hutton Lodge, Glaisdale for Ewan Wakefield.

Decided on 10/01/2025

Application reference: NYM/2024/0747

Construction of three dormer windows and installation of rooflights, together with removal of window and insertion of Juliet balcony at 73 Ainthorpe Lane, Ainthorpe for Mike Grace.

Approved on 13/01/2025

Application reference: NYM/2024/0797

Verification check of conditions 5, 7, 8, 10, 15, 17 and 19 of planning approval NYM/2023/0854 at Park Nook Farm, Langburns Bank, Castleton for Yorkshire Planning Consultants.

Decided on 14/01/2025

Application reference: NYM/2024/0811

Verification check of conditions 6, 7 and 10 of planning approval NYM/2022/0242 at Providence Heath, Whitby Road, Cloughton for Ian & Suzanne J Burnett.

Decided on 14/01/2025

Application reference: NYM/2024/0818

Listed Building consent for re-positioning of part of the compound wall at Whitby Lighthouse, Near Whitby for Corporation of Trinity House.

Granted on 15/01/2025

Application reference: NYM/2024/0620

Change of use of attached annexe to dual use as either annexe or holiday let (no alterations proposed) at Station House, Station Road, Hawsker for Mr and Mrs Clive and Jane Westwood.

Approved on 16/01/2025

Application reference: NYM/2024/0822

Construction of brick bench at Ravenscar Former Brickworks located north east of Brickyard Cottage, Ravenscar for National Trust.

Approved on 16/01/2025

Application reference: NYM/2024/0823

Advertisement consent for the display of post mounted interpretation panel at Ravenscar Former Brickworks located north east of Brickyard Cottage, Ravenscar for National Trust.

Granted on 16/01/2025

Application reference: NYM/2024/0353

Erection of general purpose agricultural building at Sadler House Farm, Goathland for Mr & Mrs D & S Lindsay.

Approved on 20/01/2025

Application reference: NYM/2024/0828

Trees in Conservation Area works comprising of felling two Sycamores at The Walled Garden, Main Road, Hutton Buscel for Mr James Stephenson.

No objections 20/01/2025

Application reference: NYM/2024/0845

Trees in Conservation Area works comprising of felling two mature and two young Willows at 34 Castlegate, East Ayton for Mr Paul Chadwick.

No objections on 20/01/2025

Redcar and Cleveland

Application reference: NYM/2024/0693

Conversion of barn to holiday cottage and change of use of adjacent buildings and land to allow use for training/activities purposes at Mount Pleasant Farm, Moorsholm for Mr Neil Spencer.

Approved on 25/11/2024

Application reference: NYM/2024/0705

Demolition of lean-to building and concrete yard enclosure, and construction of a replacement agricultural storage building at Greenhowe Farm East, Grinkle Lane, Easington for Mr Matthew Chisholm.

Approved on 26/11/2024

Application reference: NYM/2024/0676

Variation of condition 2 (material amendment) of planning approval NYM/2023/0837 to allow changes to fenestration, doors and landscaping (retrospective) at 14 Cowbar Cottages, Cowbar for Mr T Benson.

Approved on 04/12/2024

Application reference: NYM/2024/0789

Non material amendment to planning approval NYM/2017/0505/MEIA to allow design amendments to service shaft and production shaft buildings comprising changes to fenestration and doors and additional cladding at Woodsmith Mine, Sneaton for Anglo American Woodsmith Limited.

Approved on 04/12/2024

Application reference: NYM/2024/0763

Trees in Conservation Area works comprising of felling two Ash trees and two other large Ash trees already fallen to be cut down to ground level at TPO 1984/5 Roseberry Topping (W1) for Mr Gareth Wilson.

No objections on 10/12/2024

Application reference: NYM/2024/0646

Installation of replacement uPVC windows and composite doors at The Tackroom, 2 Townend Farm, Whitby Road, Easington for Mr Paul Fox.

Approved on 13/12/2024

Application reference: NYM/2023/0487

Verification check of conditions 31, 33, 34, 35, 42 and 43 of planning approval NYM/2019/0764/MEIA at Boulby Mine, Loftus for Cleveland Potash Ltd

Decided on 08/01/2025

Application reference: NYM/2024/0772

Construction of side extensions and alterations to detached garage at 13 Glebe Gardens, Easington for Mr Brian Dowey.

Approved on 09/01/2025

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)

None

North Yorkshire Council (Rye)

Application reference: NYM/2024/0726

Prior approval for erection of agricultural hay/straw and machinery storage building under Part 6 at Westfield Farm, Boonhill Road, Fadmoor for HB Farms.

Approved on 26/11/2024

Application reference: NYM/2024/0737

Prior approval for erection of a polytunnel for horticultural purposes under Part 6 at Poplar Farm, Thorgill, Rosedale for Mr Adam Walker.

Approved on 03/12/2024

Application reference: NYM/2024/0774

Prior approval for creation of two tracks for forestry purposes under Part 6 at Brewsters Slack Plantation and Orchan Dale Plantation located south of Low Farm, Kingthorpe for Yorkshire Rural Living Ltd.

Approved on 16/12/2024

Application reference: NYM/2024/0807

Prior approval for erection of agricultural storage building under Part 6 at Wethercote Farm, Wethercote Lane, Old Byland, Helmsley for Messrs Bell.

Approved on 08/01/2025

North Yorkshire Council (Sca)

Application reference: NYM/2024/0733

Prior approval for creation of agricultural access track under Part 6 at Fern Farm, Normanby for Mr K and Mrs C Stringer.

Approved on 29/11/2024

Application reference: NYM/2024/0669

Prior approval for laying of concrete base and installation of bunded liquid fertiliser storage tank under Part 6 at Northfields Farm, High Street, Mickleby for P Prudom & Son Limited.

Approved on 13/12/2024

Application reference: NYM/2024/0741

Prior approval for erection of agricultural livestock/storage building under Part 6 at Ripleys Farm, Harwood Dale Road, Cloughton for Mr Adam Turnbull.

Approved on 13/12/2024

Redcar and Cleveland

None

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

Application: NYM/2024/0553

Reorganisation of static and touring caravan areas comprising use of land for the siting of ten camping pods in lieu of ten touring caravan pitches and siting of two lodges and four camping pods in lieu of four static caravans for all year-round holiday occupation together with installation of ground mounted solar panels at Whitby Holiday Park, Saltwick Bay.

The above application was approved by Planning Committee on 28 November 2024, subject to the addition of a condition restricting the use of the two lodges to holiday purpose only.

Additional condition – UOR17

The lodges hereby approved shall only be occupied for holiday purposes and shall not be occupied as a person's sole or main place of residence. The owner/operators of Whitby Holiday Park shall maintain an up-to-date register of all owners/occupiers of the chalets and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Additional reason – RSN UOR15

The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted to provide facilities for visitors in line with Policy UE2 of the Local Plan.

Applications adjacent to the National Park (3024)

Application reference: ZF24/01778/OL

Erection of a detached dwelling and formation of a new vehicular access off Ingham Close at 38 Brich Grove, Sleights.

The Authority has assessed the proposed development and made no objections.

Application reference: R/2024/0781/FF

Siting of 5(no) self-contained glamping holiday borrows, landscaping and associated works at lane east of Quarry House A173 Newton Under Roseberry to Borough Boundary Newton Under Roseberry.

The Authority has assessed the proposed development and raised concerns about the impact of this development on the setting of the National Park. The site is open in nature and whilst the holiday units are landscaped into the ground, they will still have an engineered impact and comprise sporadic development in the open countryside, likely to have a resultant detrimental urbanising effect on this area, detrimental to views out from within the National Park.

There is also concern that the development is likely to result in light pollution, so if approved any lighting must be Dark Night Sky compliant, such as no up-lighting and with any external lighting being of a style and luminance which minimises glare and light pollution, in order that the development does not detract from the National Park's status as an International Dark Sky reserve.

Application reference: ZF24/01860/FL

Demolition of buildings (part retrospective), construction of 30no.dwellings, conversion of Station House into four apartments with associated parking/garages and amenity space, conversion of engine shed building for community use (Use Class F2) and landscaping works at North Yorkshire County Council Depot, Garth End, West Ayton.

The Authority has assessed the proposed development and raised no objection.

Application reference: ZF24/01880/COND

Discharge of condition 4 (lighting) in relation to application ZF24/00831/FL at Broxholm, Riggs Head, Scarborough.

The Authority has assessed the proposed development and made the following comments:

Overall, this scheme seems to incorporate good practice in terms of specification of dark skies compatible lighting units and this should help reduce any impact on National Park dark night skies considerations.

However, there a very large number of down lights (indicated as T1 type on the application drawings) proposed to be located around the perimeter of the building itself. These are shown as being located at 2.6m spacing around all four elevations. Whilst this may be necessary to the front elevation and potentially to the side in the vicinity of the emergency access point, it is questioned whether such close spacing is needed to the other side and the rear elevation. Any additional lighting, above that actually required, would contribute to increased impacts such as sky glow caused by light reflecting upwards from the ground and should be avoided if at all possible.

Consequently, the Authority has requested that the Council query this with the applicant and seek more justification for the number/spacing of T1 lights proposed.

Appendix E

List of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation for the period of 12 November 2024 to 21 January 2025

Reference number	Development description and site address	Decision taken
19363	Concerns over untidy land at Ainsley House, Bilsdale Transmitter Track, Chop Gate.	Site has been significantly tidied/cleared – not expedient to pursue for further action – therefore, no further monitoring required.
19476	Expiring temporary consent NYM/2013/0240/FL for retention of a 9.5m monopole mast with three radio antennae and two microwave dishes together with an equipment cabin (approved under ref NYM4/040/0296/PA) at land at High Walls Farm, Park Bank, Lealholm.	Application approved.
21027	Alleged unauthorised window in outbuilding at Coralline, Silver Street, Robin Hoods Bay.	Not in the public interest to pursue the replacement window which is appropriate for the outbuilding.
20563	Intensification of livery business at Hamley Hagg Farm, Appleton le Moors.	Use/development lawful through passage of time and relevant permissions and therefore not expedient to pursue.
17614	Slurry leaking into pond at Howdale Farm, Robin Hoods Bay.	Not a planning matter.
17626	Alleged unauthorised building works at Hillside, Sledgates	Matter resolved.
21024	Potential breach of planning approval NYM/2016/0476/CU at Little Years Nursery, Helmsley.	No breach found.
19479	Monitoring of time sensitive condition 1 of planning approval NYM/2021/0161/FL for repairs/maintenance and alterations to and construction of agricultural buildings (part retrospective) at High Buildings, Fryup Dale Head.	Works required under condition 1 of the permission have been undertaken.
15304	Alleged unauthorised track at Caydale, Old Byland.	Track is lawful.
18939	Alleged unauthorised use of garden for commercial vehicle parking and	Tenants have moved out- use ceased.

Reference number	Development description and site address	Decision taken
	use of land for trail bikes at Verdun House, Bank Lane, Faceby.	
18592	Alleged unauthorised use of land for camping and caravans at Selly Hill Farm, Guisborough Road, Aislaby.	Planning permission granted and landscaping undertaken.
20912	Expiration of temporary consent NYM/2020/0218 at Dale Head, Rosedale.	Planning permission granted for permanent siting of shepherd hut under NYM/2024/0657 on 13/11/2024.
18157	Alleged unauthorised creation of hardstanding area at Wardles Farm House, Egton.	Not expedient to pursue.
19601	Alleged unauthorised caravan and camping site at Meeting House Farm, Staintondale.	Further action required – Planning Contravention Notice to be issued.
21062	Alleged unauthorised tarmac track at Mallyan Lodge, Goathland.	No development found.
20554	Alleged unauthorised works to a Listed Building at Burleigh Cottage, Robin Hoods Bay.	Planning and Listed Building consent granted.
20246	Alleged unauthorised building at Keasbeck Farm, Harwood Dale, Scarborough.	Breach regularised.
20780	Alleged unauthorised stuck on glazing bars to Listed Building at York House, Robin Hoods Bay.	No breach of planning found – works in accordance with planning permission.
20648	Alleged unauthorised building works at Bonito Farm, Great Broughton.	Works permitted development. Temporary shipping container removed.
20941	Alleged window opening and replacement roofs at East of The Lund, Hutton le Hole.	Not expedient to pursue for further enforcement action.
21112	Concerns regarding large number of parked vehicles and untidy land at Main Road, Houlsyke.	No development found.
19903	Alleged unauthorised works to barn at Bank House Farm, Chopgate.	No development found.
20960	Alleged unauthorised conversion of outbuildings to accommodation at Whingroves Farm, Chop Gate.	No breach found.
20935	Removal of radio mast at 5 Wheatlands Drive, Easington.	Aerial removed.
19637	Alleged unauthorised siting of shed at Old Harbour, Port Mulgrave.	Not expedient to pursue.
21111	Alleged unauthorised replacement roof at 9 Cowbar Cottages, Staithes.	Permitted development under Part 1, Class C- alterations to roof as material not changed.

Reference number	Development description and site address	Decision taken
21091	Alleged unauthorised stable block with tin roof at Chapel Farm, Gatela Road to Helwath, Harwood Dale.	Field shelter is lawful.
19152	Expiry of temporary consent NYM/2021/0938/R3 for application under Regulation 3 (Town and Country Planning General Regulations 1992) for variation of condition 1 of planning approval NYM/2017/0834/R3 to allow the siting of a storage container for a further 12 month period at 1B Langburn Bank, Castleton.	Development removed.
20859	Alleged unauthorised internal alterations to a Listed Building at Staithes Museum, Staithes.	Retrospective application for Listed Building consent granted.
20739	Alleged unauthorised works to rear at 5 High Street, Helmsley.	Reported works related to the garden area only and steps/patio. No work on an extension had commenced. Planning permission submitted and is to be approved for a single storey extension.
20981	Alleged unauthorised large shed/agricultural building and polytunnel at St Athanasius Monastery, Langdale End.	Unauthorised development removed. New access gate/access permitted development.
21089	Alleged unauthorised works to Listed Building at 29 Brook Lane, Ainthorpe.	Not expedient to pursue.
18223	Notification of commencement form for planning approval NYM/2021/0066/FL at 1A Langburn Bank, Castleton.	Development completed in accordance with plans and conditions adhered to.
20513	Alleged unauthorised wall at Finklegates, Green Lane, nr Osmotherley.	Approved under planning application NYM/2024/0739.
17666	Potentially unauthorised works/change of use for business purposes at Bainley Bank Farm Fryup.	Old case that is no longer to be progressed. Also uses appear lawful/not development or change of use.
19574	Monitoring of NYM/2018/0308-use of land for the siting of a timber clad portacabin for use as office space for a temporary five year period (retrospective) at Greylands Farm, 5 High Street, Hinderwell.	Further temporary consent granted for five years -renewal request will be picked up by admin in 2028.

Reference number	Development description and site address	Decision taken
18543	Alleged unauthorised works at St Hilda's Complex, 3 High Street, Hinderwell.	Applications approving work.
17207	Monitoring of NYM/2019/0432/FL at Rockcliffe Farm, Upton Hill, Loftus.	Breach satisfactorily rectified with new doors, and confirmation of ecology works carried out although conditions not formally discharged, not expedient to pursue discharging of conditions any further.
19316	Alleged unauthorised siting of several yurts at Dalehouse plantation, nr Staithes.	Planning Contravention Notice to be served.
20575	Alleged unauthorised works to Listed Building at 21 Briar Hill, Danby.	Not enough evidence to pursue further.
19406	Alleged unauthorised building works at Land south of St Margaret's Church, Aislaby.	Appeal dismissed for stable building and no further action on engineering operation to excavate land to from level area.

Enforcement Notices served

Reference number	Development description and site address	Decision taken
0009/2025	Unauthorised siting of yurts at Onehams Farm, Ridge Lane, Easington.	Planning Contravention Notice served.
0020/2024	Unauthorised works to Listed Building at Coach House, Kepwick Hall.	Listed Building Enforcement Notice served.
0021/2024	Unauthorised rear extension and stable block at The Spinney, Mickleby.	Planning Contravention Notice served.
0024/2024	Unauthorised caravan and camping site at Meeting House Farm, Staintondale.	Planning Contravention Notice served.
0038/2024	Unauthorised siting of shipping containers and portacabins.	Planning Contravention Notice served.

North York Moors National Park Authority

Planning Committee

Thursday 6 February 2025

Item 8, Reconsider the wording of condition 5 recommended for planning application NYM/2024/0528

NYM/2024/0528 – “The Flower Belt” - Proposed condition 5 to be imposed on planning application for use of land for selling (pick your own) home grown produce together with cafe and bar facilities, siting of two associated structures (silo and secure storage facility) together with associated access and parking (April - Oct) (part retrospective) at field adjacent A170 located south of Helmsley

1. Purpose of the report

- 1.1 To reconsider the wording of condition 5 recommended for planning application NYM/2024/0528 for the use of land for selling (pick your own) home grown produce together with cafe and bar facilities, siting of two associated structures (silo and secure storage facility) together with associated access and parking (April - Oct) (part retrospective) at field adjacent A170 located south of Helmsley.

2. Introduction

- 2.1 The above application was considered by the Planning Committee at its last meeting on 28 November 2024. At that meeting Members resolved to approve the application. However, this was with a proposal put forward to approve the application with an amendment to condition 5 to state that there would be no amplified music on site. This was moved and seconded. A vote was taken on this proposal and carried.

- 2.2 The originally proposed agenda condition 5 stated the following: -

5. Amplified or other music may only be played in the premises between the following hours:

- i. 1100 - 2200 Mondays to Sundays

The condition as amended at Planning Committee was as follows: -

5. There shall be no amplified music played on the premises.

- 2.3 Following the resolution, due to an ambiguity with the proposed limitations to music related noise, a request was made to clarify the wording of condition 5 concerning the music restrictions as to whether the applicant would be able to play recorded background music at the bar.

- 2.4 This matter is therefore referred to Members to reconsider the wording of condition 5 only. In order to avoid any confusion about amplification, acoustic noise, singing and radio music, Officers recommend that a solution could be wording the condition as follows: -

- 2.5. Noise at the site shall be mitigated so that it shall not exceed 40dB(A) at any time, when measured from the nearest noise sensitive receptor to the site (dwelling at Low Woods Farm, Helmsley).

This reflects the guidelines by the World Health Organisation

3. Financial and staffing implications

- 3.1 None

4. Contribution to National Park Management Plan

- 4.1 Approval is considered likely to help meet Outcomes 4 and 5 which seek to create a place that lifts the nation's health and well-being and supports a diverse and innovative low carbon economy, by seeking to improve mental and physical health and well-being by connecting people with nature and maintaining a strong and viable farming and land management community that delivers more for climate, nature, people and place.

5. Legal and sustainability implications

- 5.1 None

6. Recommendation

- 6.1 That Members approved the revised wording of condition 5 as recommended in 2.3 above.

Contact Officer:

Name Hilary Saunders

Development Management Team Leader

01439 772700

Background documents to this report

Application reference number: NYM/2024/0528, Committee Report, Plans list item 1, Planning Committee 28 November 2024.

North York Moors National Park Authority

Planning Committee

Date: 6 February 2024

Item 9, Government working paper on planning committees, revised National Planning Policy Framework and increases in planning fees.

1. Purpose of the report

- 1.1 To ask for Members' views on Government proposals to make changes to the operation of planning committees, including a potential national scheme of delegation to further delegate powers to officers.
- 1.2 To inform Members of changes to the National Planning Policy Framework and that fees are to increase on householder planning applications.

2. Introduction

- 2.1 The government has published a 'planning reform working paper' on planning committees. It suggests that a national scheme of delegation should be introduced so that officers can make more decisions on planning applications. The justification is that it would:
 - Provide more certainty to applicants.
 - Prevent committees from 'revisiting' decisions on land allocations made as part of the Local Plan process.
 - Speed up the process.
- 2.2 In addition, it is seeking views on creating smaller targeted planning committees specifically for 'strategic development' - defined as large-scale projects and urban extensions. It is also suggesting that there should be a mandatory requirement for training for planning committee members.
- 2.3 All three reforms will require changes to primary legislation.

3. Summary

- 3.1 At present, each local planning authority produces its own scheme of delegation which sets out which decisions are made by officers, and which are decided by Members of planning committees. Nationally 96% of all decisions were made by officers in Q2 2024, for this Authority the figure was 97.5% for that quarter (117 out of 120 applications).
- 3.2 The Authority's current scheme of delegation is that decisions are made by officers, unless:

1. More than three written representations are received from separate households, which are based on planning grounds, and which are contrary to the officer recommendation.
 2. A written representation, based on planning grounds, is received from a statutory consultee, a parish/town council or a parish meeting which is contrary to the officer recommendation.
 3. There are material circumstances which in the opinion of the Chief Executive or Director of Planning and in the best interests of the National Park, warrant referral to Committee. This could, for example, include an application which is contrary to policy and on which a Member view is sought.
 4. Applications are made by Members or officers of the Authority or their immediate family.
- 3.3 The government is now suggesting that instead of a local scheme, a national scheme of delegation is introduced. Three options are presented:
1. **Option 1.** Delegating applications that align/comply with the development plan. The government is seeking views on how compliance with the development plan could be defined, including in situations where there is no up-to-date development plan. Under this option, authorities could still delegate decisions to officers where the proposal did not comply with the development plan.
 2. **Option 2.** Delegation as default with exceptions for departures from the development plan. Under this option, the default would be that decisions are delegated to officers unless they are a) 'departures' from the development plan or where the application has been submitted by the local planning authority itself, its members, or officers.
 3. **Option 3.** Delegating by default with a list of 'prescribed exceptions.' Suggestions include:
 - Major commercial or residential development not on an allocated site
 - Development of a scale where an Environmental Impact Assessment is required or where it could have a significant impact on a habitats site.
 - Development which could substantially harm a heritage asset
 - An application submitted by the local planning authority, its members, or officers
 - Applications which have resulted in a specified number of objections. The working paper states that the Government is less inclined to use this criterion as it risks incentivising organised opposition to development to object.

- 3.4 A hybrid of these three options is also presented – development which complies with the development plan would be delegated, all reserved matters applications (following outline permission) and all non-major development (less than ten houses or 1,000 square metres of non-residential development) would be delegated.
- 3.5 The government is also considering establishing smaller committees for ‘strategic development.’ It is suggesting that these committees could include 7-9 members but is asking whether 3-5 could be an option. It is asking whether local planning authorities should define what ‘strategic’ would be or is suggesting a threshold of 500 homes or 50,000 square metres for non-residential development. Finally, it is suggested that training for members should be mandatory. Planning legislation, the role of the development plan and national planning policy, the planning application process, enforcement, and the code of conduct for planning committees are suggested topics.

4. Discussion

- 4.1 Officers consider that the current scheme of delegation operated by this authority works well, especially when the percentage of applications delegated exceeds the already high national average of 97.5% for the latest quarter. It also means that there is more democratic oversight of applications which have generated opposition, including from Parish Councils. Finally, a committee decision also means that an applicant has the chance to present their case in person to the committee on the day. Conversely, it is acknowledged that there are significant time and cost efficiencies in high delegation rates with previous Best Value studies of our DM service showing that an application referred to planning committee costs the Authority four times more than a delegated decision (in officer time and Committee procedures).
- 4.2 Clearly a balance needs to be made, and the view of officers is that this is currently achieved with our existing higher than average delegation rate and only 8 committee meetings held annually. For these reasons our starting point as officers is that, as far as this Authority is concerned, there is no need for a national scheme of delegation and the options being put forward are focussed on large scale development, particularly housing which in National Parks is not normally received. The scheme of delegation operated by this Authority also gives some discretion for officers to put applications to the committee, which can be useful when an application departs from policy or when a Member view and decision is specifically sought.
- 4.3 However, officers are aware that there are cases where committees elsewhere have refused permission on sites allocated in the development plan which then go to successful appeal (the working paper includes three examples) and that the government is likely to introduce a national scheme given that it has published a working paper with options for doing so.

4.4 Our suggested response, in **Appendix 1**, is therefore a constructive one that on the one hand achieves the Government's aims whilst retaining proper local member oversight and public engagement in the decision process where needed.

4.3 Our suggested approach is that there should be a balance between setting national criteria and allowing some local discretion for officers to refer decisions to committee. For a national list, we are proposing the following:

- 1) Where a major development (i.e. over 10 houses or more than 1000sqm of non-residential development) is not allocated in an adopted development plan.
- 2) A written representation, based on planning grounds, is received from a statutory consultee, a parish/town council or a parish meeting which is contrary to the officer recommendation.
- 3) Applications are made by Members or officers of the Authority or their immediate family.
- 4) There are material circumstances which in the opinion of the Chief Executive or Chief/Director of Planning and in the best interests of the Authority, warrant referral to Committee.

4.5 We have analysed the 94 planning applications before committee over the past three years. The reasons for an item being decided by this committee were:

- Parish Council response was a reason for referral 62 times (66.0% of applications)
- More than 3 consultation responses contrary to officer opinion was a reason for referral 29 times (30.9% of applications)
- Director of Planning referral was a reason for referral 10 times (10.6% of applications)
- Statutory Consultee response was a reason for referral 9 times (9.6% of applications)
- Contrary to Policy was a reason for referral 3 times (3.2% of applications)

(Note – figures do not add to 100% as more than one of the reasons can apply to a single application.)

4.6 Hence if the Government did adopt this scheme of delegation, we estimate that this would result in a reduction in applications to committee of around 25-30%. These figures also illustrate that if objections from a Parish or Town Council were not included in a national scheme of delegation there would be a significant reduction in the number of applications before committee compared to past rates.

5. Changes to the National Planning Framework and Planning Fees

- 5.1 The Government consulted on potential changes to the National Planning Policy Framework (NPPF) last July. A response from this Authority was presented to NPA on 23 September. A revised version was published on 12 December 2024.
- 5.2 No changes were proposed to paragraphs 182 and 183 which specifically cover planning policy for National Parks (apart from revised paragraph numbering – now 189 and 190). The main issue raised in our response was over the deliverability of housing targets in both the North Yorkshire and Redcar & Cleveland Council areas, which are now mandatory as ‘the standard method’ – with increases of 211% and 1,327% proposed – to 4,232 and 642 homes per year respectively. In the final version, these figures have dropped slightly to 559 and 4,077 homes per year. Our response indicated that this could lead to pressure for development in the setting of the National Parks. This remains the case.
- 5.3 The response also mentioned that the NPPF was silent on how a housing figure could be calculated for National Parks and advised that the current policy guidance at the time – that need is assessed against household formation and affordability levels - was retained. The Government has instead updated National Planning Practice Guidance to state that National Park Authorities should continue to set their own housing figures but that these could take into account existing housing stock, local house prices, earnings and housing affordability. Whilst the Government publishes housing stock data and affordability data for unitary, county and borough areas it is not published for National Park areas. Consultants have been appointed to produce a range of options which the new Local Plan review will need to consider.
- 5.4 Other main changes concerned green belt policy, five-year housing land supply and support for identifying suitable locations for uses such as laboratories, gigafactories, data centres, digital infrastructure, freight and logistics centres, which are not of relevance to National Parks.
- 5.5 The new NPPF also removes the need for wind turbines to be in ‘suitable areas’ and generate no objections, as outlined in an earlier Ministerial Statement issued on 8 July. A specific policy on this issue will need to be included within a reviewed local plan in due course.

6. Increases to planning fees

- 6.1 At the same time as publishing the revised NPPF, the government has also confirmed that planning fees for householder development applications will double “at the earliest opportunity” to £528 to secure full cost recovery. In our response to consultation on this, we suggested that the existing figure of £258 should apply to small-scale development in the curtilage of a dwelling house as the cost of the application could exceed the cost of the development or deter people from submitting an application. This suggestion has been taken forward.

7. Financial and staffing implications

7.1 None

8. Contribution to the National Park Management Plan

8.1 No direct link.

9. Legal and sustainability implications

9.1 None.

10. Recommendation

10.1 That Members approve the response to the Government's working paper on planning committees.

10.2 That Members note changes to the National Planning Policy Framework.

Contact Officer:

Paul Fellows

Head of Strategic Policy

01439 772700

Background documents to this report

1. Appendix 1 – Proposed response to the working paper on planning committees.

Appendix 1 – Proposed response to the working paper on planning committees.

At the end of the working paper, 8 questions are posed. Our proposed response is below.

1. Do you think this package of reforms would help to improve decision-making by planning committees?

Training for all members would improve decision-making. The North York Moors National Park Authority already carries out regular mandatory training on the planning system with its members.

2. Do you have views on which of the options we have set out in regard to national schemes of delegation would be most effective? Are there any aspects which could be improved?

Our starting point as officers is that, as far as this Authority is concerned, there is no need for a national scheme of delegation to speed up decision making. The scheme of delegation operated by this Authority also gives some discretion for officers to refer applications to the committee, which is useful when an application departs from policy or when a Member view and decision is sought.

However, we are mindful that there are cases elsewhere where committees have refused permission on sites allocated in the development plan which then go the successful appeal. If the Government does introduce a national scheme of delegation, we would suggest that the options presented are somewhat over complicated, open to interpretation, or in the case of option 3, too prescriptive.

Our suggested approach should a national scheme of delegation be introduced needs to be simple, not open to interpretation and allow for some local democratic oversight where needed.

The first two suggestions revolve heavily around whether an application is compliant with or a departure from the Local Plan and related policy such as adopted design guides.

The paper provides examples of where sites are allocated in adopted development plans and permission is denied, resulting in a successful appeal. We agree that this undermines the plan-led system and is wasteful of time and money for both the LPA and developers and would suggest that one of the criteria could be:

- a) Where a major development is not allocated in an adopted development plan.

Major development would be as defined in Annex 2 of the 2024 NPPF. This phrasing does not include the words ‘up to date’ as this would mean that where authorities do not have an up-to-date plan all decisions on major development would have to be decided by committee.

We would advise that including a criterion of whether a proposal does not comply with the development plan more widely should not be included. This implies a need for someone to decide on whether an application complies with, is contrary to, aligns with, is in accordance with, or departs from the development plan (the working paper uses several phrases). Proposals can also comply with the overall local plan strategy but may not be fully policy compliant when it comes to the details, which will be a matter of judgment as to whether applications can be delegated (and which could be challenged at appeal or through judicial review).

If the Government wishes to include a wider definition of non-compliance the test of this needs to be clear. We would suggest that the term should be 'departure from' with the scheme making it clear that this refers to the three tests in the Town and Country Planning (Development Plans and Consultation) (Departures) Directions 1999:

- a) 'development which consists of or includes provision of i) more than 150 houses or flats; or ii) more than 5,000 square metres gross retail, leisure, office, or mixed commercial floor space.
- b) development of land belonging to a planning authority by that authority or any other party; or for the development of any land by such an authority, whether alone or jointly with any other persons; or
- c) any other development which, by reason of its scale or nature or the location of the land, would significantly prejudice the implementation of the development plan's policies and proposals.'

The third option is to have a default of delegation to officers unless the application falls within a prescriptive list of categories. In our view, this list is too prescriptive and does not allow for an element of discretion for officers to refer an application to committee where warranted. As well as providing democratic oversight where officers feel it is needed it is also occasionally useful for officers to use an application to help gauge member's opinions on the operation of policy. We would suggest:

- 1) There are material circumstances which in the opinion of the Chief Executive or Chief Planning Officer and in the best interests of the Authority, warrant referral to Committee.

This Authority's current scheme of delegation also includes the following circumstances:

- 2) A written representation, based on planning grounds, is received from a statutory consultee, a parish/town council or a parish meeting which is contrary to the officer recommendation.
- 3) Applications are made by Members or officers of the Authority or their immediate family.

- 4) More than three non-confidential written representations, which are based on planning grounds, and which are contrary to the officer recommendation.

We propose that the first two of these are included and that the third is replaced by a combination of 2 and 3 above – a Parish Council objection could trigger a referral to committee (which would arguably increase the status of Parish Councils within local communities) and officers would be free to refer to committee where there are significant objections. We would not support a model which uses the number of objections as this varies enormously between authorities/applications. Our reasoning is further developed in our response to question 3.

In summary, whilst we do not support a national scheme of delegation, if one is to be introduced our suggested criteria are for applications not to be delegated in the following circumstances:

- 1) Where a major development is not allocated in an adopted development plan.
- 2) A written representation, based on planning grounds, is received from a statutory consultee, a parish/town council or parish meeting which is contrary to the officer recommendation.
- 3) Applications are made by Members or officers of the Authority or their immediate family.
- 4) There are material circumstances which in the opinion of the Chief Executive or Chief/Director of Planning and in the best interests of the Authority, warrant referral to Committee.

3. We could take a hybrid approach to any of the options listed. Do you think for instance, we should introduce a size threshold for applications to go to committees, or delegate all reserved matters applications?

Delegating reserved matters applications is sensible as the principle of development is already established.

We would not support the use of site thresholds. The geography of local planning authorities varies and in rural areas (including National Parks) a relatively small development could have a harmful impact. Over the past 15 years, only 14 planning applications have been permitted by this Authority which resulted in more than 10 homes being completed – meaning that the use of a threshold would likely mean no applications being referred to committee in some years.

4. Are there advantages in giving further consideration to a model based on objections?

No. Whilst there is usually a correlation between the level of public support and the number of objections, this is sometimes not the case. On occasions,

the use of social media can generate large numbers of objections on relatively small schemes, and using a particular number of objections can be seen as a 'target to hit.'

5. Do you agree that targeted planning committees for strategic development could facilitate better decision making?

In principle yes, however, the thresholds suggested would mean that most if not all National Parks would not need such a committee. We therefore agree that not all local planning authorities would be required to establish one.

6. Do you have a view on the size of these targeted committees?

Not applicable to this Authority.

7. How should we define strategic developments?

No answer

8. Do you think the approach to mandatory training is the right one?

Yes. This Authority already provides Member training on an annual basis; however, any additional training and certification can only improve decision-making nationally. Our only suggestion is that whilst all members could be trained it may be best to restrict certification to new members only, otherwise requiring certification for existing members could lead to delays as members undergo training over time.

North York Moors National Park Authority

Planning Committee

Item 10, Local Development Scheme

1. Purpose of the report

- 1.1 To set out the Authority's latest Local Development Scheme (LDS) and request approval from Members.

2. The Local Development Scheme

- 2.1 Appendix 1 sets out a revised Local Development Scheme (LDS). The LDS is a brief project plan which provides details of the local planning documents the Authority has published and will produce over the next five years. The Authority is legally required to produce, maintain and publish an up to date LDS under the 2004 Planning and Compulsory Purchase Act. The last version the Authority produced was approved by this committee in July 2023.
- 2.2 Since the last update, the Ministry of Housing, Communities and Local Government has requested that all local planning authorities update their LDS within 12 weeks of the publication of the new National Planning Policy Framework (12 December 2024) and submit it to them. This 2025 version is largely unchanged from the 2023 version, although dates when plans and documents are to be produced have been updated.
- 2.3 The scheme sets out the timetable for preparing new planning policy documents, summarised as follows:

Local Plan review

- 2.3 Local Plans are required to be reviewed every five years. The current Local Plan was adopted July 2020 and hence review does not need to start until July 2025. However, we will be starting to update the plan slightly earlier in February 2025.

Design Code Supplementary Planning Document

- 2.4 Public engagement on the 'scoping' stage of the Design Code was completed in September 2024. We anticipate carrying further engagement on a draft in July 2025 and to publish a final version in October 2025.

3. Financial and staffing implications

- 3.1 None at present. Work will be carried out within existing budgets.

4. Contribution to National Park Management Plan

- 4.1 No direct link, although up to date planning policy documents support a number of the priorities set out in the Management Plan and sets a framework for ensuring that objectives can be delivered.

5. Legal and sustainability implications

5.1 None.

6. Recommendation

6.1 That Members note and agree to publish the revised Local Development Scheme 2023.

Contact Officer:

Paul Fellows

Head of Strategic Policy

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Background documents to this report

1. Appendix 1 – Revised Local Development Scheme 2025.

Appendix 1 - What is the Local Development Scheme?

The Local Development Scheme (LDS) sets out the main planning policy documents we will be producing over the next three years, and the timetable for preparation.

Publishing an LDS is a legal requirement. The 2004 Planning and Compulsory Purchase Act (as amended by the 2011 Localism Act) requires us to set out which local development documents we are to prepare, which of these are development plan documents, the area they will cover, whether they will be prepared with another authority and the timetable for production. The LDS must be formally adopted by Authority. This version of the LDS was approved by the Planning Committee on 6 February 2025 and replaces the scheme published in July 2023.

What are our current plans?

The starting point for determining all planning applications in the North York Moors National Park is policy set out in our Development Plan. This refers to all formal documents that have been subject to consultation, examination, and adoption by the National Park Authority as policy. At present our Development Plan comprises:

- The Local Plan (July 2020)
- The Whitby Business Park Area Action Plan (adopted in November 2014 and reviewed with no changes in October 2019)
- The Helmsley Local Plan (Adopted in July 2015 and reviewed with no changes in July 2022)
- The Minerals and Waste Joint Plan (adopted in March 2022 by North Yorkshire Council, the City of York Council and the North York Moors National Park)
- The Ingleby Arncliffe Neighbourhood Plan (made in 2021). Only a small area (The Blue Bell Inn, two cottages and the modern farm buildings/grain store associated with Arncliffe Farm) is located within the National Park, the remainder being within the North Yorkshire Council Local Planning Authority area.

There are also several other supporting documents (known as Supplementary Planning Documents or SPDs) which provide further guidance on how policies will be applied:

- Dark Skies (Adopted December 2023)
- Renewable Energy (Adopted April 2010)
- The Design Guide (Adopted June 2008)
- The Osmotherley and Thimbleby Village Design Statement (adopted February 2011)
- The Hutton Buscel Village Design Statement (adopted June 2010)
- Ampleforth Conservation Area Assessment & Management Plan Supplementary Planning Document (adopted 2009)
- Oswaldkirk Conservation Area Assessment & Management Plan Supplementary Planning Document (adopted 2011).

What plans are we producing?

More details are in the document profiles below, but in summary we will be working on:

Local Plan review

Local plans are required to be reviewed every five years. The current Local Plan was adopted July 2020 and hence review does not need to start until July 2025. However, we will be starting to update the plan slightly earlier in early 2025.

The Design Code

We carried out initial consultation on the design code in July 2024. We aim to consult on a draft of the document in July 2025 with a view to completing it in October 2025.

Other plans

The Whitby Business Park Area Action Plan was last reviewed with no changes in October 2019; therefore, a review (if needed) would need commence in October 2024. Pending discussions with North Yorkshire Council and a review of the extent to which the plan has been implemented, we would anticipate that policy for the Business Park would be made through the revised Local Plan and Design Code.

Review on the Helmsley Local Plan would need to start in July 2027. Arrangements for review, if needed will be set out in the next version of this scheme.

What other documents are relevant?

We are required to provide details of progress and review of all our Local Development Documents (LDDs) within this Local Development Scheme. The following additional LDDs have been prepared and may also be of interest to anyone interested in how our planning policy is developing:

The Statement of Community Involvement (SCI). This document was adopted in July 2023.

This Local Development Scheme (LDS).

The Annual Report (AMR) makes up our final Local Development Document. Local Authorities must prepare annual monitoring reports to cover a period of a minimum of 12 months and make such reports available to the public. These show how well an Authority's planning policies are being implemented. We aim to publish this Authority's AMR in September each year.

Document profiles

Local Plan

We will be updating one Development Plan Document (The Local Plan) over the next few years. We anticipate that this will be a partial review of the existing plan rather than a wholesale review. The Local Plan will need to be updated to consider more recent

evidence, to account for national policy changes (in particular the introduction of national development management policies) and to review some policies.

Document title: The North York Moors National Park Local Plan 2024-39

Subject matter: Development management policies to help guide development over the period 2024-2039. The plan will be based on a robust evidence base and will set out a spatial strategy for future development, alongside policies to help guide development to reflect the special qualities of the National Park.

Status: Development Plan Document.

Relationship to other Plans and Policies: When adopted the Local Plan will sit alongside other adopted Development Plan Documents, namely the Helmsley Local Plan, the Whitby Business Park Area Action Plan (if still extant) and the Minerals and Waste Joint Local Plan. Where they overlap policies in each will be used to guide development. The Local Plan will be informed by three key policy influences – the National Planning Policy Guidance (NPPF), the North York Moors National Park Management Plan and Local Economic Partnership Plans.

Area Covered: The North York Moors National Park Authority boundary.

Timetable and milestones:

Stage 1 – Evidence gathering. We expect this to start in February 2025.

Stage 2 – We then anticipate carrying out consultation on options for updating the plan. This would fulfil requirements set out in Regulation 18 of the Local Plan Regulations. We expect this to start in September 2025.

Stage 3 – We will then prepare and ask for views on the final draft of the revised plan. This is known as the Regulation 19 or ‘publication’ stage, where we present a final draft plan and collect comments for the independent examination. We expect this to happen in May 2026.

Stage 5 - Submission to Government. We expect this to happen in August 2026.

Stage 6 - Independent examination and adoption (known as the Regulation 22 to 26 stages.) We expect this to happen in October 2026 and April 2027.

Arrangements for Production: Policy Team at the National Park Authority (currently 1.8 FTE equivalent staff), drawing on support from Senior Management and the Development Management Team. External consultancy support to be brought in where necessary. Preparation of the Plan will be guided by the Development Plan Working Group comprising nine National Park Authority Members.

Monitoring and Review: Through the Annual Monitoring Report.

Design Code Supplementary Planning Document

Document title: Design Code Supplementary Planning Document.

Subject matter: Design principles and standards for new development in the North York Moors National Park.

Status: Local Development Document.

Relationship to other Plans and Policies: When adopted to the SPD will directly support implementation of Local Plan Strategic Policy C – Quality and Design of New Development and the North York Moors National Park Management Plan.

Area Covered: The North York Moors National Park Authority boundary.

Timetable and milestones: Work on the Design Code is already underway. We anticipate that the timetable will be:

Stage 1 – Evidence gathering and research. This started December 2023 and continued to July 2024.

Stage 2 – We then consulted on a ‘scoping stage,’ covering the format of the document, the selection of area types, a potential vision and setting out baseline information. This happened in July 2024.

Stage 3 – Preparation of the Design Code and consultation on the draft. After the preparation phase we anticipate consultation will take place from July 2025.

Stage 4 – Adoption. We expect this to happen in October 2025.

Arrangements for Production: Policy Team at the National Park Authority (currently 1.8 FTE equivalent staff), drawing on support from Senior Management and the Development Management Team.

Monitoring and Review: Through the Annual Monitoring Report.

Monitoring

Progress on the Local Development Scheme will be reviewed alongside the Authority Annual Monitoring Report. This will set out:

- Actual progress on documents against the milestones set out in the Local Development Scheme.
- The need for any adjustments to the timescales in the Local Development Scheme.
- The need for any new Development Documents to be prepared in response to changing circumstances identified in the Authority Report.

North York Moors National Park Authority

Plans list item 1, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0577

Development description: Construction of 30no. dwellings (mix of affordable, principal residence and open market), conversion of Station House into four apartments with associated parking/garages and amenity space, conversion of engine shed building into 2 principal residence dwellings and landscaping works

Site address: West Ayton Highways Depot, Garth End Road, West Ayton

Parish: West Ayton

Case officer: Hilary Saunders

Applicant: Brierley Homes Ltd, c/o The Agent,

Agent: Planning Potential Ltd fao: Mr William Rogers, Suite 19, 1 Cardale Park, Beckwith Head Road, Harrogate, North Yorkshire, HG3 1RY

Director of Planning's Recommendation

Approval subject to the following conditions and negotiating of a Section 106 Agreement to ensure that properties 5-8, 13-16 and 20 remain affordable in perpetuity and a financial contribution is made to community facilities including schools (£121k) and GP services (£19k):

Condition(s)

Condition number	Condition code	Condition text												
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.												
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><tr><td>Document Description</td><td>Drawing No.</td><td>Date Received</td></tr><tr><td>Proposed site plan</td><td>0004 Rev P7</td><td>21/01/2025</td></tr><tr><td>Proposed plans & elevations (Goods shed)</td><td>0030 Rev P2</td><td>23/01/2025</td></tr><tr><td>Station House Proposed</td><td>0021 Rev P1</td><td>09/08/2024</td></tr></table>	Document Description	Drawing No.	Date Received	Proposed site plan	0004 Rev P7	21/01/2025	Proposed plans & elevations (Goods shed)	0030 Rev P2	23/01/2025	Station House Proposed	0021 Rev P1	09/08/2024
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Station House Proposed	0021 Rev P1	09/08/2024												

Condition number	Condition code	Condition text
		floor plans & elevations House Type 1 (Plots 5-8) 0010 P2 11/11/2024 House Type 2 (Plots 1-4 0011 P3 11/11/2024 & 13-22) House Type 4 0013 P3 11/11/2024 (Plots 9-12 & 25)
3	UOR14	Plots 1-4, 10-12, 31-34 (Station House Apartments) and Plots 35-36 (Engine shed conversion) hereby permitted, shall be used as principal residential dwellings (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	PDR02	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 dwellings hereby approved shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
5	PDR03	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

Condition number	Condition code	Condition text
		without modification), no outbuildings shall be erected other than those expressly authorised by this permission.
6	AC01	Demolition or construction works shall take place only between 0800 and 1800 hours on Mondays to Fridays, and 0800 and 1300 hours on Saturdays and shall not take place at any time on Sundays or on Bank or Public Holidays.
7	AC06	Deliveries shall be taken at or despatched from the site only between 0800 and 1800 hours on Mondays to Fridays, 0800 and 1300 on Saturdays and not at any time on Sundays or on Bank or Public Holidays.
8	MC00	Before the commencement of development which, for the avoidance of doubt shall be taken to include any demolition or construction activity, a Dust Control Scheme shall be submitted to and approved in writing by the Local Planning Authority. No demolition or construction shall take place except in complete accordance with the approved Scheme unless otherwise submitted to and agreed in writing with the Local Planning Authority.
9	AC21	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.
10	MC00	The development hereby permitted shall be carried out in accordance with the conclusions and recommendations set out in Phase 1:Desk Study produced by Solmek Ltd dated May 2023 and received 9 August 2024 conclusions and recommendations of the study, including the Phase 2 study.
11	BCMT03	The roof of the Old Station House and Engine Shed development hereby permitted shall be clad in natural Welsh slate to match the previous roof, in terms of materials, colour and course height and shall be maintained in that condition in perpetuity.

Condition number	Condition code	Condition text
12	BCMT04	No work shall commence on the construction of the roof of the development hereby permitted until details of the type of slate, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof slate used shall accord with the approved details and shall be maintained in that condition in perpetuity.
13	GPMT02	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.
14	GPMT11	All new window frames and glazing bars, doors and door frames in the Old Station House and Engine Shed shall be of timber construction and no other materials shall be used thereafter. No work shall commence on the installation of any of these windows and doors 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.
15	GPMT12	No work shall commence to stain/paint the windows in the Old Station House and Engine Shed development hereby approved until details of the paint colour/finish of the windows has been

Condition number	Condition code	Condition text
		submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details, completed within six months of the date of installation and shall be maintained in that condition in perpetuity.
16	GPMT14	The external face of the frame to all new windows in the Old Station House and Engine Shed shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity.
17	GPMT20	No external trickle vents other than concealed trickle vent shall be incorporated into any new windows hereby approved and shall not be installed thereafter.
18	GPMT15	All new windows in the new build dwellings hereby approved shall be of flush fitting design with the external face of the frame being set in a reveal of a minimum of 60mm) from the front face of the adjacent walling and shall be maintained in that condition in perpetuity.
19	GPMT26	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.
20	MC00	No development approved by this planning permission shall commence until a remediation strategy to deal with the risks associated with contamination of the site in respect of the development hereby permitted, has been submitted to, and approved in writing by, the Local Planning Authority. This strategy will include the following components: • a preliminary risk assessment which has identified: • all previous uses • potential contaminants associated with those uses • a conceptual model of the site indicating sources, pathways and receptors • potentially unacceptable risks arising from contamination at the site

Condition number	Condition code	Condition text
		• a site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off-site. • the results of the site investigation and the detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. • a verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the written consent of the Local Planning Authority. The scheme shall be implemented as approved. Note: A 'Phase 1: Desk Study' has been prepared by SOLMEK and is dated May 2023. This stratifies part 1 of this condition. The report indicates that a Phase 2 site investigation will be required, with recommendations for the investigation that should be followed
21	MC00	Prior to any part of the permitted development being brought into use, a verification report demonstrating the completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to, and approved in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.
22	MC00	If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning

Condition number	Condition code	Condition text
		Authority. The remediation strategy shall be implemented as approved.
23	MHC-11	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any subsequent Order, all the domestic garages hereby approved shall not be converted into domestic accommodation without the granting of an appropriate planning permission.
24	MHC-01	Except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any road or any structure or apparatus which will lie beneath the road must take place on any phase of the road construction works, until full detailed engineering drawings of all aspects of roads and sewers for that phase, including any structures which affect or form part of the highway network, and a programme for delivery of such works have been submitted to and approved in writing by the Local Planning Authority. The development must only be carried out in compliance with the approved engineering drawings
25	MHC-15B	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: • details of any temporary construction access to the site including measures for removal following completion of construction works. • wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway. • the parking of contractors' site operatives and visitor's vehicles. • areas for storage of plant and materials used in constructing the development clear of the highway.

Condition number	Condition code	Condition text
		• details of site working hours; • details of the measures to be taken for the protection of trees; and • contact details for the responsible person (site manager/office) who can be contacted in the event of any issue.
26	MC00	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. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
27	MC00	The development shall be carried out in accordance with the details shown on the submitted, Surface Water Drainage Strategy BH2301-15-APP-92-XX-DR-C-7103 (revision P01) dated 19/11/2024 prepared by Align Property Partners Ltd, unless otherwise agreed in writing with the Local Planning Authority.
28	MC00	Prior to the occupation of the last new build dwelling hereby approved, the conversion of the Old Station House and Engine Shed shall have been completed in accordance with the approved plans.
29	LD04	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.
30	LD25	Prior to the development being brought into use full details of the proposed boundary treatment to the site, including the size and species of any hedging, the materials to be utilised to any walls or fences and the timetable to implement the proposed works, shall be submitted to and approved in writing by the Local Planning Authority. The site boundary treatment works shall then be implemented in accordance with the approved

Condition number	Condition code	Condition text
		details. The boundary treatment shall be maintained in perpetuity.
31	MC007	Development may not be begun unless: • A biodiversity gain plan has been submitted to the Local Planning Authority, and • The Local Planning Authority has approved the plan.
32	MC008	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 copy of the completed biodiversity metric. • description and evaluation of the habitats to be retained, enhanced and/or created onsite. • detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric. • preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years. • details of the persons or organisation responsible for implementation of the plan. • details of the proposed habitat monitoring and plan review on a four year cycle
33	MC016	The development hereby permitted shall not be brought into use until a scheme (including a timetable for implementation) to secure at least 10% of the energy supply of the development from decentralised and renewable or low carbon energy sources shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented and thereafter retained in operation.
34	BC01	No further work shall be carried out to clear or strip out the former station and engine shed buildings work shall commence on site to clear or strip out the building to which this

Condition number	Condition code	Condition text
		permission/consent relates until a programme of building recording and analysis has been undertaken. The building recording and analysis shall be carried out in accordance with a specification provided by the Local Planning Authority or any other programme which has been approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the provided/approved specification

Informative(s)

Informative number	Informative code	Informative text
1		This consent is issued subject to the terms of the Agreement (under Section 106 of the 1990 Town and Country Planning Act) dated (to insert) between the North York Moors National Park Authority, Brierley Homes Limited and Broadacres Housing Association to secure affordable housing and financial contribution toward education and GP services.
2	MC INF09	Please note that all Public Rights of Way 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. The National Park Authority must be informed prior to any works undertaken on or adjacent to a Public Right of Way that may impact on it's safe use or condition.
3	MC INF00	Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination.
4	MC INF00	Refer to our Guiding Principles for Land Contamination for the type of information that we require in order to assess risks to

Informative number	Informative code	Informative text
		controlled waters from the site - the local authority can advise on risk to other receptors, such as human health.
5	MC INF00	Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed.
6	MC INF00	It is recommended that in order to avoid abortive work, discussions are held between the applicant, the Local Planning Authority and the Local Highway Authority before a draft layout is produced and any detailed planning submission is made. To assist, the Local Highway Authority a full list of information required to discharge this condition. It should be noted that approval to discharge the condition does not automatically confer approval for the purposes of entering any Agreement with the Local Highway Authority. The agreed drawings must be approved in writing by the Local Planning Authority for the purpose of discharging this condition. (1) Detailed engineering drawings to a scale of not less than 1:500 and based upon an accurate survey showing: • the proposed highway layout including the highway boundary • dimensions of any carriageway, cycleway, footway, and verges • visibility splays • the proposed buildings and site layout, including levels • accesses and driveways • drainage and sewerage system (with 100mm level contours and flow direction arrows shown) • Road Marking and Signage Layout together with Sign Schedules • traffic calming / traffic engineering measures

Informative number	Informative code	Informative text
		• all types of surfacing (including tactiles), kerbing and edging. • an A4 or A3 'Stick Diagram' of the Road Layout showing all roads to be constructed marked with a road number eg Road 1, Road 2, Road 2A, Road 3 etc • details of street furniture including bollards, fencing, seating, bins, bus stop infrastructure • details of vehicle restraint systems • details of existing utility services apparatus (overhead and underground) • details and specification of traffic signals, electronic systems, communications equipment • landscaping and planting details including all trees, hedges and low level planting • details of wayleaves, public rights of way • details of bin storage and bin collection points (2) Longitudinal sections to a scale of not less than 1:500 horizontal and not less than 1:50 vertical along the centre line of each proposed road showing: • the existing ground levels • the proposed road channel and centre line levels • full details of surface water drainage proposals, including SuDS features, storage tanks and attenuation systems (3) Full highway construction details including: • typical highway cross-sections to scale of not less than 1:50 showing a specification for all the types of construction proposed for carriageways, cycleways and footways/footpaths

Informative number	Informative code	Informative text
		• when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels • kerb and edging construction standard details • typical drainage construction standard details. (4) Details of the method and means of surface water disposal. (5) Details of all proposed street lighting. (This plan is also to show New Trees (green); Existing Trees (Greyscale) and Removed Trees (red)) (6) Drawings for the proposed new roads and footways/footpaths giving all relevant dimensions for their setting out including reference dimensions to existing features. (7) Full working drawings for any structures including retaining wall features which affect or form part of the highway network. (8) A programme for completing the works.
7	MISC00	Although the Local Highway Authority has made a positive recommendation regarding this planning application, the applicant must be aware that engineering drawings related to highway matters will need to undergo a technical approvals process. Any works undertaken onsite prior to the granting of technical approval will be at the applicant's own risk.
8	MISC00	If the developer is looking to have new sewers included in a sewer adoption agreement with Yorkshire Water (under Section 104 of the Water Industry Act 1991), he/she should contact our Developer Services Team (telephone 03451 208 482, email: technical.sewerage@yorkshirewater.co.uk) at the earliest opportunity. Sewers intended for adoption should be designed and constructed in accordance with the WRc publication 'Code for Adoption - a design and construction guide for developers' as supplemented by Yorkshire Water's requirements.

Application Number: NYM/2024/0577

Scale: 1:2500

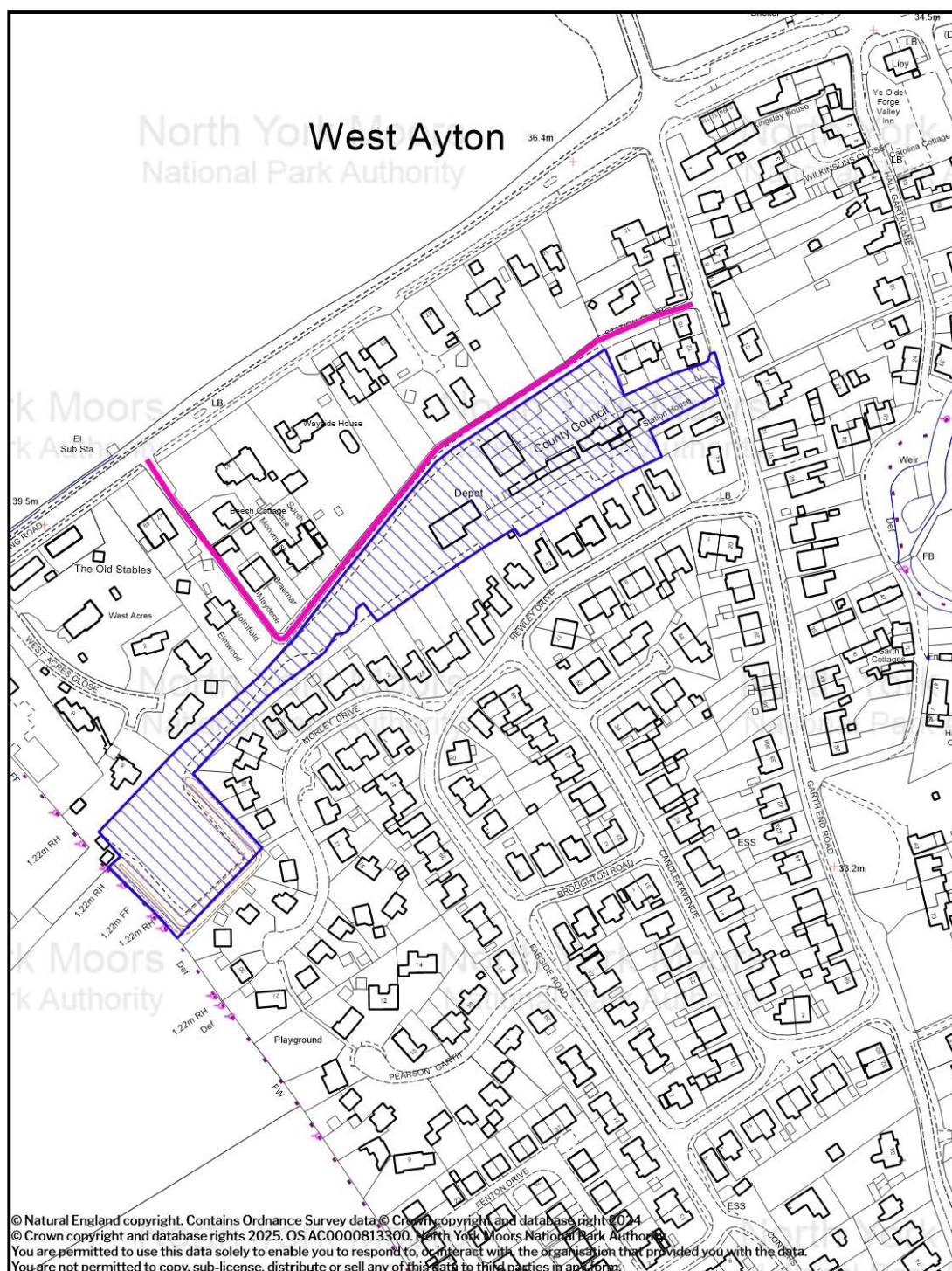


Photo showing entrance to the Highways Depot site with the Station House in the centre of the photo



From within the site looking back to the Engine Shed (left) and Station House.



Consultation responses

West Ayton Parish Council

6/11/2024 – Support the principal but have a number of objections to the details.

Welcomes the development for residential purposes as it is falling into dereliction with increasing problems of vandalism, rat infestation and weed spread to neighbouring residential areas. Also appreciate that appropriate sites such as this should be used for development to meet local housing needs provided the local infrastructure is not overwhelmed.

The PC fought for many years to get the Station House and Goods Shed listed as important heritage buildings but were unsuccessful because of other similar buildings along the Forge Valley Line. However, their importance was recognised by the National Park Authority when the Ayton Conservation Area was extended to include the site in 2014, so to have these buildings preserved as part of this proposed development is very important.

Sewage - The management of sewage from the site is a key concern for the PC and residents. The sewerage network is out of date, already overloaded and not fit for modern purposes with frequent illegal outflows into the River Derwent, even when excessive surface water is not an issue. Foul-smelling odours from the system are a regular problem. The addition of the sewage from the proposal will only compound the existing problems.

Traffic A170 junction is a busy off-set crossroads. Morning and early evening are the busiest times at the junction. This is a major concern for the PC and residents. The PC supports the request from NYC Highways for a thorough Transport Statement from the Developer. A reduction in the number of houses built would enable more onsite parking for residents, there is no capacity for increased parking on Garth End Road. Already there is an issue on the road of overflow parking from recent residential development in the area.

Issues of concern - relating to planning policy - The PC agrees with the objection raised by the National Park's Senior Heritage & Conservation Officer and comments made by Historic England in that the proposed development does not recognise the needs of the Conservation Area to preserve and enhance the historic features of the site. Most of the features have already been lost through demolition and renovation – internal features lost and the Welsh slate roof on the Goods Shed removed.

The proposed housing opposite the Station House to the east of the Goods Shed overshadows the Goods Shed and needs to be more subservient and with a more appropriate and sympathetic design, materials and colours to reflect the Victorian period of the Station.

The Conservation report states a desire for Victorian style cottages in the area which West Ayton Parish Council fully supports. There is also a desire for Victorian style bungalows for elderly residents wishing to downsize but remain in the area.

Previous planning applications for the site were for fewer houses (25) and the PC believes that there are too many properties in the current application especially at the eastern end of the site, resulting in smaller houses and gardens (plots 13 to 22). The Parish Council has the opinion that a maximum of 25 properties is the optimum number of dwellings and is appropriate for the size of the site.

Further clarification is required on the split between rental and shared ownership properties in the allocation of affordable housing. Two- and three-bedroom properties are a stated preference from residents for social housing to meet local need for local people and local need.

A public footpath (203 West Ayton) runs east to west along the northern boundary of the site and turns north along the private road Beech Lane. Neighbouring residents object to any new access points onto Beech Lane on the grounds of Health & Safety, as the lane is narrow with high beech hedges and is used by residents' vehicles and delivery vans and is well used by residents walking their dogs and short cut to the Doctors' Surgery. The PC would suggest that at least one access point at the western end of the woodland path is installed so that the new residents have easy footpath access to the Surgery and also to the nearby bus stop. This access point would also give other Ayton residents the opportunity to walk through this historic part of the village and also help with integration into the community.

Biodiversity – concerned about the damage already done to biodiversity on the site. Residents are also concerned about the loss of vegetation and habitat on the bund around the old salt heap if it is removed. There are also issues with the potential loss of trees and vegetation along the wire mesh fence line on the southern side of the PRow to the north of the site if the fence is removed. One solution might be to retain the tall mesh fence from Station Close to the western end between the current barriers and then lower or replace the fence opposite the houses on Beech Lane next to the road. A more comprehensive planting scheme is needed if the Biodiversity Net Gain is to be achieved for the site as suggested by the National Park Ecologist. The Parish Council requests that a blanket preservation order be placed over the entire site to ensure any planting removed during construction is replaced with appropriate native species.

Community Space - The Goods Shed has been offered to the West Ayton Parish Council as a potential Community Centre.

Further debate is needed to determine whether the Parish Council can afford to take on the project and to fund its running costs going forward.

Other issues raised by PC and residents:

Social housing – will the properties be allocated to local people?

Should 2 storey houses to be built next to the existing bungalows on Hewley Drive?

Concern about the impact on the local primary school and doctors' surgery especially considering the larger housing developments in East Ayton (responses by Dept for Education & NHS are available on the website).

North Yorkshire Council, Planning Services

The North Yorkshire Council in its capacity as a Local Planning Authority makes no comment.

Highways

16/01/2025 - The Local Highway Authority has no objections to the application, subject to a number of Highways Conditions.

Environmental Health

Environmental Protection Unit - This unit notes the receipt of the desktop study by email, and we accept the findings, conclusions and recommendations of the study. We recommend the Phase 2 study as recommended in the Phase 1 study. Also recommend conditions regarding demolition and construction hours, delivery hours and a dust control scheme.

Housing Standards Team Leader - No objections to the proposals (all the proposed dwellings meet the National Space Standards).

Environment Agency

Proposed development will be acceptable if planning conditions are included requiring the submission of a remediation strategy which should be carried out by a competent person in line with paragraph 183 of the National Planning Policy Framework. This is required in order to ensure that the development does not contribute to and is not put at unacceptable risk from or adversely affected by unacceptable levels of water pollution from previously unidentified contamination sources at the development site and to prevent deterioration of water quality within the Source Protection Zone/Principal Aquifer.

Yorkshire water

7/10/2024 - Interim response to Officer email referring to Community concerns re capacity of the sewage network –

Please note that we are only permitted to respond to details linked to the planning application and the concerns raised by the Parish Council are classed as an operational matter and is separate from planning legislation so the application should only be dealt with under its own merits.

We also encourage residents to keep reporting issues like this with YW, so that a case can be built up for further investigation and eventual action, subject to funding. Considering how much surface water is getting into both private drains and in turn into public sewer networks, whether foul only or combined over the years along with highway gullies not cleaned out on a regular basis, contributes to flooding when storms arise, and surface water has to go somewhere, including surface water from landowner/s fields.

22/10/2024 - Waste Water - There is insufficient details relating to surface water drainage strategy. This could seriously jeopardise Yorkshire Water's ability to maintain the public sewerage network and is not acceptable. We therefore object to the development as currently shown and require further information prior to determination of this application.

23/01/2024 – No objections

Water Supply - A water supply can be provided under the terms of the Water Industry Act, 1991.

Waste Water - If planning permission is to be granted, conditions should be attached in order to protect the local aquatic environment and Yorkshire Water infrastructure.

Yorkshire Water has no objection to:

The proposed separate systems of drainage on-site and with combined off-site.

The proposed amount of domestic foul water to be discharged to the public combined water sewer network.

Foul water will discharge to 300 mm diameter public combined water sewer located within Garth End Road.

The proposed amount of curtilage surface water to be discharged to 300 mm diameter public combined water sewer located within Garth End Road via storage with restricted discharge of 21 litres/second providing a 30 % betterment to existing run-off rate.

Historic England

Historic England supports new housing in historic places where it can contribute to local character and distinctiveness. The Victorian railway line section of the East and West Ayton Conservation Area has a distinctive form that tells the story of the location of the former West Ayton station on the Pickering to Scarborough railway line.

We support the adaptive reuse of the historic station house and some new housing on the site.

The boundary of the Conservation Area was extended in 2014 to include a very distinctive, thin curving spur westwards from the station to include the line of the historic railway. The significance of this part of the Conservation Area derives from the legibility of the shallow curve of the railway line which allows its former function to be understood.

This is inherently linked to the setting and appreciation of the Victorian railway buildings.

Support the adaptive re-use of the historic railway buildings and no objection in principle to the construction of some additional new housing on the site. However, Plots 9 - 22 are all located in the Conservation Area and involve building on the former railway line. The alignment of the new dwellings, their garden plots etc, would obscure the existing character of the former railway line. This would cause a minor degree of harm to the character and appearance of the Conservation Area. Overall, it can be considered as 'less than substantial harm'. We would say that mitigation for the harm to the conservation area could take the form of a layout of new development that preserves a key characteristic of a feature of land.

We question whether consideration has been given to locating the access road along the route of the former railway line, follow its gentle curve. This would be a positive response to the significance of the Conservation Area. This would require the omission of 14 plots although it might be possible to accommodate some more new dwellings along the northern boundary edge of the access road.

We strongly recommend that any opportunities to 'better reveal' this historic interest and distinctive form and characteristics of the site are fully explored. We consider that the issues and safeguards outlined in our advice need to be addressed in order for the application to meet the requirements of the NPPF.

Amended Plans: The revised plans do not alter our original comments, and the Authority should have due regard to the impact on the conservation area and undesignated assets and their settings.

North Yorkshire Police Designing Out Crime Officer

19/09/2024 Original plans - No objections but observations and advice as follows: -

The proposed development demonstrates a generally appropriate design, with several positive features that enhance security and align with best practice in crime prevention. However, there are some issues that need to be addressed and some aspects that require further information to ensure the scheme's long-term safety and security are not compromised, a summary of which are listed below:

- Rear boundary treatments to Plots 1 to 8 could be enhanced.
- Lack of appropriate demarcation to create defensible space to house frontages.
- Clarification required in relation to rear boundary treatments.
- Sub-divisional treatments to rear gardens could be improved.
- Details of secure cycle parking for dwellings without a garage required.
- Provision of cycle parking for community centre.

- Appropriate lighting for community centre car park and parking for Station House Apartments.
- All dwellings should be provided with security lighting.
- Details of appropriate landscaping required.

13/01/2025 on additional information

Access & Movement - revised boundary treatments - Boundary treatments between dwellings and the existing footpath will be close boarded fencing to a height of 1700mm topped with 300mm trellis and this is appropriate.

Defensible space& Boundary Treatments – now suitable boundary and sub-divisional treatments to all properties other Plot 36, so a revised Boundary Treatment plan is recommended.

NHS Humber and North Yorkshire Integrated Care Board (ICB)

The ICB have identified that the planning application will give rise to a need for additional primary healthcare provision to mitigate the impact arising from the population associated with the proposed development. Assuming the above is considered in conjunction with the current application process, the ICB would not wish to raise other objections to the proposed development.

A developer contribution will be required to mitigate the impacts of this proposal. The ICB calculate the level of contribution required in this instance to be £19,519. Payment should be made before the development commences. The ICB therefore requests that this sum be secured through a planning obligation linked to any grant of planning permission, in the form of a Section 106 planning obligation.

Young People and Children's Services, North Yorkshire Council

Based on the proposed number of dwellings a developer contribution would currently be sought for education facilities should this application be approved. Costs are calculated per pupil space, for school expansion costs for early years, primary, secondary and special needs provision and has been calculated at £121,212.

Campaign for National Parks

No comments received

North Yorkshire Moors Association

No comments received

Campaign to Protect Rural England

No comments received

NYC – Local Lead Flood Authority

No comments received

Police – Traffic

No comments received

Ramblers

No comments received

NYC – Senior Rural Housing Enabler

No comments received

Third party responses

The following people have made some or all of the following comments objecting or raising concerns to the above application:

Names and addresses: -

G and B Brammer, 3 Station Close, West Ayton

A and P Walker, Maydene, Beech Lane, West Ayton

D D M Nelson, 8 Hewley Drive, West Ayton

M Wood, Southdene, Beech Lane, West Ayton

W Garbutt, 14 Morley Drive, West Ayton

J Abrines, 39 Pickering Road, West Ayton

L Nichol, 4 Hewley Drive, West Ayton

Cllr C Cussons, Low Yedmandale Farm, East Ayton

S Marshall & D Nesfield, 28 Morley Drive, West Ayton

PA Bedford, Volunteer DVB Library, 32 Candler Avenue, West Ayton

C and R Bilton, 37 Pickering Road, West Ayton

I and S Austin, 9 Candler Avenue, West Ayton

J Mee, Elmwood, Beech Lane, West Ayton

A C & CM Tacon, 2 Dreaken Fold, West Ayton

D and D Gregory, 12 Pearson Garth, West Ayton

J & C Wood, 35 Pickering Road, West Ayton

R G Lockwood, 3 Garth Cottage, Hall Garth Lane, West Ayton

T Turner, 67 Garth End Road, West Ayton

S. Pullan and N. Pullan, 3 Hewley Drive, West Ayton

R Green, 33 Hall Garth Lane, West Ayton

G Cooper, 5 West Acres Close, West Ayton

K Ascott, Braemar, Beech Lane, West Ayton

L Skelton, 11 Garth End Road, West Ayton

I & K Hugill, 1 Station Close, West Ayton

Comments

- Sewerage - the proposal is to connect all surface water and foul sewage into the existing sewer which comes from Snainton and is already unable to cope with its existing demands. Issues with sewerage in the area of the Goods Yard/Beech Lane have been reported by local residents for decades. There is already a problem with effluent going into the river which impacts wildlife and the environment.
- The problem of drainage/sewerage and odour issues have existed in West Ayton for many years, and despite the efforts of Yorkshire Water with various surveys etc, no conclusive findings have been able to identify the source of the problems, let alone being able to offer a permanent, long-lasting solution.
- Dangerous access - Access to and from the housing estate from the A170 is becoming increasingly difficult with the expansion the number of houses. There needs to be another access or lights.
- The entrance to the new Station Yard development is also along this stretch of road, and the addition of many more vehicles wanting access both in and out of the development, is only going to add to an already extremely difficult situation.
- This situation is also compounded by the excessive speed of vehicles being driven along Garth End Road (30mph limit), in a dash to get, as soon as possible, to the main junction with the A170 Pickering Road.
- Noise and disturbance during building works.
- Impact on wildlife including badgers, foxes, rabbits, hedgehogs.
- Privacy and overshadowing of neighbouring dwellings.
- Reduce number of dwellings proposed in order to allow more distances from existing properties and lower densities so more in keeping with area.
- The council have been underhanded in undertaking works in the yard which are clearly more than clearance works, demolishing buildings which they now want retrospective planning for. They have undertaken works to buildings in the Conservation Area without the relevant approvals in place.
- Totally unacceptable that the site already has a sales office.
- Was a bat survey carried out on any of the current buildings prior to undertaking any of the works?
- Need guarantees that the hedging and trees that are between the bridle way/beech lane and the council yard will not be tampered with, there is years of mature growth there.

- The council had previously objected to the linden homes development off Garth end road due to the volume of traffic at the junction of Garth End Road and Pickering Road, yet this will only add to the congestion.
- Three new housing developments that have already started on Racecourse Road in East Ayton, how is the local school and GP surgery going to cope with even more demand.
- One of the conditions from a previous planning approval in April 2006 was that any dwellings constructed adjacent to the properties on Hewley Drive could be no higher than the existing bungalows.
- Do these proposals meet local need? Don't think social housing is a local need for West Ayton. Need real affordable homes which enable first time buyers who are existing residents to be able to purchase in the village without the need for shared ownership or social housing. If you are in full time work and live in the village you should be able to purchase a house here without only having shared ownership.
- Village has a need for suitable properties for older residents. The site would have been perfect for a sheltered housing/warden-controlled development, freeing up larger houses in the village as people downsize but stay within the village. Would be fewer cars.
- No need for another community facility - village already has the Village Hall, and the library (DVB) both have to fund raise to keep going, which is done by volunteers. There is no Parish Council money to convert the shed into anything for the community, let alone the volunteers to run it, or apply for grants to fund it, or fund raise for it.
- Disappointed that the grass embankment bordering the old salt pile will be removed. This would exacerbate the issue of loss of privacy and screening and would contravene the findings/ report from Naturally Wild, where they state that all hedgerows and treelines are to be retained. Also concerned that any excavation of the bank would be the use of heavy hydraulic equipment to the proximity of our property. May undermine foundations.
- Concern re boundary treatments and fencing along Beech Lane.
- Loss of trees.
- Lighting - conflict between the need for sufficient light for safety, and to avoid light pollution over the National Park. Hope that lamps are situated at low level, and switched off, say, between 11pm and 6am, could help to mitigate the effects on wildlife, and neighbours.
- Station House is rich in heritage and highly valued asset to the village. It would be criminal to turn it into four flats. This historic station house along with its original platform should be retained either as a café/restaurant/community facility or be turned into imaginative homes celebrating its history.

- The pipe networks are unable to cope with existing demands, and this situation has been made worse with the additional demands from the near-by Linden Homes development over the last few years.
- Our main concern lies with the effect of all this new development on local amenities, particularly West Ayton surgery and the dentist in East Ayton. With this development and the Racecourse Road development in East Ayton, there will be a lot of new people who may require those services in addition to existing residents.
- Although provision is made for car parking for residents in the development the additional parking for visitors and tradespeople is inadequate, vehicles will be parked on verges and green spaces.
- Concerned the two access points into Beech Lane would pose a security risk.
- Will there be any conditions imposed for example 'No Ball Games' within the turning head area (former salt-pit area)
- Regarding pedestrian access at Beech Lane – this would be beneficial to those living both in the new dwellings and the estate in general so it would be essential to give this extra consideration when considering the positioning of any access and any other mitigations that might be necessary.
- We accept the need for safety and security, but as cars have their own lights the priority would seem to be pedestrians. Could we support the suggestion of lighting at bollard level? Excess light and losing our view of the stars at night would perhaps be the saddest change for us and the local wildlife.

Consultation expiry

9 October 2024

Background

Location

The West Ayton Highways Depot is located on the site of the old railway station and sidings area, accessed from Garth End Road, which is a residential road servicing a large number of houses. The Depot lies partly within the North York Moors National Park (NYMNP) and partly within North Yorkshire Council's (NYC) planning area. The site is located within the extended East and West Ayton Conservation Area and listed on the North York Moors National Park Authority Brownfield Land Register.

Historical background

The railway use of this site ceased decades ago, and subsequent to this, was used for many years by North Yorkshire County Council as its regional depot for highway plant, equipment, salt store and general and storage. That use ceased a number of years ago.

The site consists of a relatively narrow strip which widens to form the salt store at the western end. The bulk of the site is hard surfaced and bounded by a combination of wire mesh and wooden panel timber perimeter fencing, with some tree and hedge screening.

It contains two buildings of merit, both of red brick and slate roof construction. These are the former station and station masters house and former engine shed. The former station and station master's house were most recently used as offices in relation to the Depot use.

Other buildings on the site included several sheds of corrugated sheet and brick construction. These have recently been removed from the site.

In terms of the site's longer history, the Pickering and Seamer branch dual track railway formerly entered the site from the southwest, this then continued in a north easterly direction along the southern edge of the site and over Garth End Road. The platform continued northeast as far as Garth End Road. To the north of the Station House, coal and goods sidings were located. The most southern sidings line passed through a goods shed and terminated at the northeastern site boundary.

The station house, engine shed and the platform and land to the north of the platform is located within the North York Moors National Park Authority. The remainder of the site which is primarily the old salt pile area at the southwestern end of the site lies within North Yorkshire Council's area.

Current application

This current application seeks full planning permission for the construction of 30 dwellings along with the conversion of the Station House and Engine shed into six further residential units.

As the site straddles the boundaries of the North York Moors National Park Authority and North Yorkshire Council, two identical applications have been submitted, one to each Authority but with each Authority determining the elements within their jurisdiction.

In this case, 20 of the proposed new build dwellings are within North York Moors National Park Authority and ten within North Yorkshire Council; 30% of these across the whole site would be affordable housing.

Within the North York Moors National Park Authority area, there would be nine units of affordable housing and 11 principal residence dwellings. In addition, it is proposed that both the Station House and Engine shed which are within the North York Moors National Park Authority are converted with the Station House creating three x one bed and one x two bed apartments, and the Engine Shed creating one x two bed and one three bed dwellings. These would be principal residence.

Of the new build dwellings there would be four x one bed units (which would be affordable housing for rent), eleven x two bed units (four of which would be affordable for rent) and five three bed units (one of which would be affordable – shared ownership)

Within the North Yorkshire Council area, a mix of two, three and four bed dwellings are proposed. Other than one x two bed and one x three bed, which would be affordable units (shared ownership), the other eight dwellings would be open market.

All units would be served with associated parking spaces or garages with areas of visitor parking being spread throughout the site (in line with North Yorkshire Council parking standards). An area of public open space would be provided immediately to the east of the Station House building.

In terms of design and materials, these would reflect those of the Station House and the wider locality, with slate roofs and terracotta ridge tiles, buff brick (to contrast with the station house, but reflect some of the Victorian properties on Garth End Road) with contrasting string courses, overhanging eaves, stone window heads and cills, timber gable detailing and white upvc windows (other than in the conversions which would be timber).

Site history

In 2005 outline planning permission was granted for residential development of the site. Only the principle of development and means of access (which would be the existing access from Garth End Road) were considered.

No reserved matters applications were submitted and the permission lapsed without being implemented.

With this previous application the view of the Building Conservation Team was that the Station House, Engine shed, and platform should be retained as part of any future development of this site. The remaining structures were considered to be of limited interest. The retention and re-use of the Station House, Engine Sheds and platform were considered to preserve the sense of place of this area whilst adding interest and status to the development.

The National Park Authority therefore subsequently produced a Design Brief for the site with the purpose of encouraging new residents to the area, improving amenity for neighbouring property owners, capitalise upon the site's location relatively close to both York and Scarborough and promote overall improvements in the area, whilst maintaining the character of the site.

The design brief was approved by the Planning Committee in 2006 so is extremely out of date, however, it set out that having regard to the location of the site within the settlement and producing a sensitively designed residential development, with a range of house types and sizes, would be most appropriate, along with the retention of the site assets, namely the two former railway buildings along with its associated railway platform.

It was set out that these building should be incorporated into a scheme to retain the historic railway links of the site and provide a degree of focus and established character.

In terms of density, it was considered the site should not exceed 30 new builds, to reflect the density of the locality.

In terms of affordable housing, the Local Plan requirements at the time were a minimum of 10% affordable dwellings.

Main issues

The main issues for consideration are whether residential development of this scale is appropriate on this site, whilst not specifically supported by the current development plan, and if so, whether the mix of housing types and size is appropriate for the locality. Also, for consideration is whether the proposals would have a detrimental impact on the amenities of local residents, in terms of traffic, drainage/sewerage and provision of local facilities such as the GP services and school and whether the proposals would have a detrimental impact on the character of the Conservation Area and historical context of the railway.

Local Plan

Strategic Policy M - Housing – seeks to ensure the delivery of new homes to help meet the needs of local communities; 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 of this policy explains that opportunities for new housing development that supports National Park purposes are very limited and need to be considered carefully in terms of how they can best support local communities. The Government makes clear through the National Parks Circular that National Parks are not suitable locations for unrestricted housing, and that the focus should be on providing for local housing needs through the provision of affordable housing and housing to support local employment opportunities and key services. This Plan therefore focusses on meeting local housing need rather than meeting the objectively assessed need for new homes in line with national policy. This is reflected in the NPPF.

Therefore, the Authority will support proposals for a variety of tenures, types and sizes of dwellings within the National Park and schemes will be expected to meet the need for smaller dwellings.

Within the larger villages (which includes East and West Ayton) principal residence and affordable housing on suitable small sites will be permitted.

In terms of affordable housing this strategic policy sets out that many different types of housing development come under the umbrella of affordable housing, but that some affordable models, for example, developments where sales are discounted below the prevailing market value, may still not deliver genuinely affordable options for local residents and these would not be supported by the Authority. Similarly, affordable rents may need to be less than 80% of local open market rents to be affordable for local households.

The policy requires that the occupancy of affordable dwellings will be restricted by means of a Section 106 Agreement to restrict to those in housing need who require

affordable housing and also have strong links to the local community (within the National Park). The agreement or condition will require the dwellings to remain affordable in perpetuity.

Policy CO7 - Housing in Larger Villages – Sets out that in order to support the wider service function of Larger Villages, principal residence and affordable housing will only be permitted on suitable small sites within the main built up area of the village only, with proposals meeting the need for smaller dwellings, or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

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 and design details that reflect architectural character and form of the original building or the local vernacular; 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; sustainable design and construction techniques are incorporated; 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 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. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park. 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; the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of

mobility aids; and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity - seeks to ensure the conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park is given great weight in decision making and goes on to state that development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that there are no alternatives, there are suitable mitigation measures, any residual harmful impacts have been offset through appropriate habitat enhancement and the wider sustainability benefits of the development outweigh the harm to the protected or valuable interest.

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. This will mean that no up-lighting should be installed on the development hereby permitted and any external lighting installed should be of a style and luminance which minimises glare and light pollution with all bulbs shielded to prevent upward and minimise horizontal light spill.

Policy ENV8 – Renewable Energy – sets out that new development in the National Park will be required 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.
- Requiring residential proposals of five units or more and other uses of 200 sq. m. or
- more to generate energy on-site from renewable sources to displace at least 10% of predicted CO2 emissions.

Material considerations

Principle of housing development and housing mix

The site is not an important undeveloped open area and is registered as Brownfield land. Furthermore, it is surrounded by residential development within the main built-up area of West Ayton. However, there is no provision within the current Local Plan for development of this scale, and consequently, its development for housing would not be in accordance with Strategic Policy M or Policy CO7.

Nevertheless, considering the site and proposals pragmatically, along with historical planning permission and the design brief citing residential development, it is considered that the most beneficial use Design Brief this brownfield site is for the provision of housing to meet the needs of the National Park. As set out in the Local Plan, the need is primarily for smaller dwellings and it is therefore considered that the mix of one, two and three bed dwellings is most appropriate.

Affordable housing provision

The current proposal is for twenty new build dwellings within the North York Moors National Park Authority area, and six units being created through conversions. Nine of these will be affordable, which amounts to 35% provision (30% provision over the whole site). The Local Plan does not set out a minimum requirement for new developments as “quota sites” are not within the existing policy framework (other than the 100% for exception sites), but it is considered that this provision would contribute significantly to the need in the local community.

The affordable units would comprise a mix to reflect local need, being a variety of one, two and three bed units. The data from the most recent Parish Profile estimates that West Ayton currently has an annual affordable housing requirement of ten homes per annum.

The applicant is suggesting that seven of these units will be rented and the one three-bed unit would be shared ownership, to be managed by the Broadacres Housing Association.

It is recommended that if Members resolve to grant planning permission, it will be subject to a Section 106 Legal Agreement which requires that the affordable dwellings remain affordable in perpetuity and that the first and all subsequent occupants are in need of affordable housing and have a strong local connection. This means living or being employed in the parish (or group of parishes) for at least three years or having parents, children or siblings who have lived there for at least three years. If it is not possible to find a suitable occupant for an affordable dwelling at any point, the agreement would include ‘cascade’ arrangements whereby occupants can be selected from adjoining parishes (within the National Park) and then from elsewhere in the National Park.

The Authority monitors Section 106 obligations from time to time and requires the Housing Associations to hold relevant information to include rent levels, sale price at the last re-sale for low-cost home ownership schemes and details of occupants’ local connection and housing need when they moved in.

It is considered important that affordable housing provision within the National Park meets the need of National Park communities, not the wider North Yorkshire Area (including Scarborough). It is therefore recommended that the eight units located within

the National Park part of the site are restricted to meet that need as with all other affordable housing development within the National Park.

Design and materials

The station building and engine shed would be converted retaining existing openings and the design would be unaltered. It is considered that these buildings should remain the main focus of the site with their red brick and slate roofs.

In terms of the new build dwellings, their design and design features would reflect that of the station house building and would have slate roofs to match.

There has been much consideration regarding the roof materials and the type of brick, in terms of whether pantile roofs would be more appropriate in order to be subservient to the Station Houses. However, the proposed slate roofs but with buff rather than red brick is considered to achieve that subservience and reflects a number of buff brick Victorian properties on Garth End Road. Features such as string course and gabling details would also reflect the railway heritage of the site.

It is considered that the layout has been well thought out, to provide a form of development that would sit comfortably on the site and make the most efficient use of the land.

Impact on residential amenity

It is considered that the design and layout has been well thought out, with there being significant distance from the rear of the proposed dwellings and the existing properties that front onto Pickering Road and Beech Lane. Plot one is adjacent to number 2 Station Close, but these properties would be side elevation to side elevation and no primary first floor side windows are proposed here.

In terms of the Station House, this is an existing two storey building and therefore there would be no impact on outlook to the three bungalows on Hewley Drive that would back onto these apartments. In terms of potential overlooking, the windows on the south elevation would serve a mix of bedrooms, bathrooms, staircases, kitchens, dining and living spaces. However, these are all more than 25m from habitable rooms and would not have an unacceptable impact on private amenity.

Similarly with the Engine Shed, the side of this is approximately 19m away from the conservatory of the nearest property to the north and is also well screened by existing trees and bushes.

In terms of the new build properties to the south of the site, which back onto Hewley Drive, the scheme has been amended so that these are more than 21m from those existing bungalows.

Impact on character and setting of Conservation Area and railway history.

The East and West Ayton Conservation Area was extended in 2014 to incorporate additional areas of the two villages, including the old station buildings.

The Conservation Area Appraisal and Management Plan (CAAMP) explained the importance of the station buildings and the associated outbuilding, stating that whilst they have been altered and extended to some degree they are considered to be typical of a railway station ensemble of the 1880s in form, architectural detailing and layout, and to make a significant and much-valued contribution to the heritage of the village, being important surviving evidence for the development of East and West Ayton during the late nineteenth and early twentieth centuries.

Although not considered nationally significant by English Heritage when they were assessed for listing, they were recognised as being locally important and attractive historic buildings. As a result, it was considered appropriate to include the former station site within the designated area with the aspiration that it will be preserved and enhanced during the wider redevelopment of the former County Highways depot site.

It was also recognised that the former railway station serves as a local landmark, and that it was important that any scheme that includes the former station respects the established character and historic structures on the site, retaining the historic structures as an ‘anchor’ for redevelopment to ensure that the local railway heritage remains legible and new development achieves a ‘sense of place’.

It was considered that the recognition of the heritage value of the site presents an opportunity to design a development scheme in a manner that preserves and enhances significance via repair, refurbishment and sympathetic alteration of site assets. The setting of retained heritage assets will also be enhanced by sensitive redevelopment of the rest of the site, which is currently in a neglected condition.

It is considered that the scheme achieves these aspirations, through the sensitive conversion of the Station Building and Engine Shed and retention of the station platform.

However, Historic England have commented that any development should also avoid the original line of the railway itself, and these comments have been reflected in

Authority’s Building Conservation Officers comments. It has also been suggested that a Level 2 building recording survey is undertaken.

It is considered that the retention and conversion of the station buildings and railway platform do achieve the aspiration to provide an ‘anchor’ for redevelopment to ensure that the local railway heritage remains legible and new development achieves a ‘sense of place’. The route of the old railway line has not been legible for many years due to development outside the site and also due to the wholesale tarmacking of the area when used as a Highways Depot.

Furthermore, to remove development from the route of the line would result in the loss of 13 dwellings, which would most likely result in the development not being viable.

The Authority’s Archaeologist has visited the site and inspected the two buildings to be converted and has taken photographic records of the interiors of these.

However, it is recommended that a Level 2 Historic Buildings Survey is required to ensure any remaining interior of interest is recorded.

It has also been suggested that the colour scheme of the entire site should match that of the station buildings, and no windows should be uPVC. However, it is considered that these requirements should be in relation to the station buildings only, to reflect their significance on the site. Furthermore, it is not considered reasonable to resist the use of good quality upvc windows in new build development within a Conservation Area, as such development is often found to be acceptable and not harm the character of the locality.

As the buildings are not listed, it is not possible to control alterations to the interior or the removal of internal features. However, a condition is recommended to ensure that natural Welsh slate is used on the roofs of the two buildings to be converted and that all windows and doors in the two buildings are timber.

Historic England and the Authority's Building Conservation Officer consider that not keeping the route of the old railway line free of development would result in "less than substantial harm" to a heritage asset and therefore a number of dwellings should be omitted from the scheme.

However, Paragraph 215 of the NPPF 2024 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset (such as a Conservation Area), this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

It is considered that the benefits of the scheme as submitted, with the number of smaller dwellings (including affordable units) represents the most efficient use of the land and the optimum value; and therefore, justifies the limited harm that may result.

Highway safety and parking provision

Vehicular access to the site is proposed from Pickering Road (A170) via Garth End Road, which is already in situ as part of the sites previous use, as a Highways Depot.

The application site entrance is illuminated during the hours of darkness by a system of street lighting with the road subject to a 30-mph speed limit.

The Highway Authority have been consulted on the application and the scheme has been designed in accordance with their requirements, along with the submission of a Transport Statement which has also been assessed by the Highway Authority.

The Parish Council and a number of local residents have however, raised concerns regarding the capacity of the local road network and concerns regarding the safety of the access onto Pickering Road, and also concerns that there is inadequate parking provision on site, which would result in additional roadside parking on Garth End Road.

In considering the above, the Highway Authority have advised that the proposal adheres to Minor Access Road requirements as outlined in the North Yorkshire Council (NYC)

Highway Design Guide. They have recommended a number of conditions, including ensuring the provision of the proposed parking spaces. A further condition is also proposed which would ensure the domestic garages are not used for purposes other than the parking of vehicles.

Boundary treatments

A number of concerns have been expressed regarding the nature of boundary treatments, including the types of fencing used around the site, with third party requests varying along the length of the northern boundary. Amended plans were submitted to reflect these requests and the scheme is considered acceptable from that aspect. However, it is recommended that conditions are attached to any approval, to require submission of details with approval by the Local Planning Authority.

Drainage and sewage provision

The Parish Council and a number of local residents have raised concerns about the ability of the existing sewerage system to cope with additional demands and consequently Officer's requested Yorkshire Water to comment specifically on this matter.

Yorkshire Water advised that they were only permitted to respond to details linked to the planning application and the concerns raised by the Parish Council are classed as an operational matter and is separate from planning legislation, so the application should be dealt with under its own merits.

The applicants have submitted additional information to address the queries raised by Yorkshire Water and it is anticipated that their comments will have been received prior to consideration of the application at Planning Committee.

Increased pressure for local services

Both the Humber and North Yorkshire Integrated Care Board (NHS) and Children and Young People's Service at North Yorkshire Council have commented on the application and whilst raising no objection, require developer contributions via a Section 106 Legal Agreement to cover the costs of school expansions and additional primary healthcare provision.

It is recommended that any planning permission is tied to a Section 106 Agreement to ensure these contributions are made and the applicants have agreed to the sums required and the signing of a 106 Agreement.

Landscaping and biodiversity net gain

Development on this site is considered acceptable in landscape terms, with existing boundary trees incorporated into the scheme and additional boundary and landscape planting throughout the site.

Some additional details are required in terms of the biodiversity metric, and it is anticipated that this will have been received and assessed by the Authority's Ecologist prior to being considered by the Planning Committee.

Conclusion

The proposed development provides for a good mix of housing types and is considered to be of a high standard of design and whilst not strictly in accordance with Strategic Policy M due to the numbers of dwellings proposed, is considered to be in accordance with all the other policies contained in the Local Plan, as outlined above.

Consequently, approval is recommended, but subject to the completion of a Section 106 Agreement as set out at the beginning of the report.

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 8,20,24,27,33 and 35 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 Objectives 21 and 22 to achieve Outcome 6 by delivering affordable housing and principal residence dwellings to help local communities thrive and redress the lack of affordable homes delivered in recent years by the Authority.

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 revised siting and design, so as to deliver sustainable development.

North York Moors National Park Authority

Plans list item 2, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0730

Development description: Use of land for camping, caravanning and the siting of three glamping pods for holiday purposes, construction of amenity block building and single storey bistro/cafe building together with access improvements, internal access roads, parking, creation of wildlife pond with viewing deck and landscaping works

Site address: St Hilda's Farm, 3 High Street, Hinderwell

Parish: Hinderwell

Case officer: Hilary Saunders

Applicant: St Hilda's Complex, St Hilda's Farm, 3 High Street, Hinderwell, Saltburn by the sea, TS13 5JX

Agent: David Bamford Architects, fao: Mr David Bamford, Ridge Hall, Ridge Lane, Staithes, Saltburn by the sea, TS13 5DX

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text												
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.												
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><tr><th>Document Description</th><th>Drawing No.</th><th>Date Received</th></tr><tr><td>Site location plan</td><td>----</td><td>15/10/2024</td></tr><tr><td>Proposed Camping /Campervan Park</td><td>pp1 r6</td><td>23/12/2024</td></tr><tr><td>Proposed Camping /Campervan Park</td><td>pp2</td><td>23/12/2024</td></tr></table>	Document Description	Drawing No.	Date Received	Site location plan	----	15/10/2024	Proposed Camping /Campervan Park	pp1 r6	23/12/2024	Proposed Camping /Campervan Park	pp2	23/12/2024
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Proposed Camping /Campervan Park	pp1 r6	23/12/2024												
Proposed Camping /Campervan Park	pp2	23/12/2024												

Condition number	Condition code	Condition text
		Proposed Café/Bar pp3 r12/12/24 23/12/2024
3	PDR09	Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.
4	UOR01	The café/bar room building hereby approved shall be used for a café/games room ancillary to the primary caravan/tourism accommodation use on the site and for no other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (as amended) (or in any provision equivalent to that Class in any statutory instrument revoking and reenacting that Order with or without modification). The café/bar/games room use shall cease immediately if the primary use ceases to operate.
5	UOR12	The camping pods hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
6	UOR15	The units of holiday letting accommodation hereby permitted shall form and remain part of the current Planning Unit presently known as St Hilda's Complex as shown edged blue/red on the site location plan dated 15 October 2024. The holiday units shall not be let out or used in any way if the holiday letting units are functionally separated (either Freehold or Leasehold) and shall at all times remain together in the same overall Planning Unit.
7	UOR17	The caravan/campervan pitches hereby approved on St Hilda's Complex shall only be occupied for holiday purposes and shall not be occupied as a person's sole or main place of residence. The owner/operators of St Hilda's Complex shall maintain an up-to-date register of all owners/occupiers of individual caravans on the site and of their main home addresses and shall make this information available at all reasonable times to the Local Planning Authority.

Condition number	Condition code	Condition text
8	AC04	Amplified or other music may only be played in the premises between the following hours: • 1000 - 2200 Mondays - Thursdays; • 1000 - 2300 Fridays and Saturdays; • 1100 - 2200 Sundays and Bank Holidays
9	AC05	Customers shall only be permitted within the café/bar between the following hours: • 0800 - 2200 Mondays - Thursdays; • 0800 - 2300 Fridays and Saturdays; • 0830 - 2200 Sundays and Bank Holidays
10	GPMT05	The external surface of the roof of the buildings hereby permitted (other than the camping pods) shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity.
11	MC00	The external edges of the solar panels hereby approved shall be coloured black and thereafter be so maintained.
12	GPMT27	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity.
13	MC00	All noisy construction/landscaping works and ancillary operations, which are audible at the site boundary, or at such other place as may be agreed with the Council, shall be carried out only between the hours of: • 8.00am and 6.00pm on Mondays to Fridays • 9.00am and 1.00pm Saturdays • and at no time on Sundays and Bank Holidays If noisy works must be carried out beyond these times, then an application must be made for consideration by environmental health under the Control of Pollution Act 1974 (Section 61 application).

Condition number	Condition code	Condition text
		Noise and vibration must be kept to a minimum by methods of work that conform with the 'Code of Practice for Noise and Vibration Control on Construction and Open Sites' (See BS 5228-1:2009+A1:2014, and EC and UK Noise Legislation, as applicable). At all times the best practicable means as defined in the Act must be employed to reduce noise. Only the quietest plant or machinery should be used, and all equipment should be maintained in good mechanical order and fitted with appropriate silencers, mufflers or acoustic covers. Stationary noise sources should be sited as far away as possible away from neighbouring properties. Acoustic barriers consisting of site materials such as bricks, earth mounds or proprietary types should be constructed when noise cannot be sufficiently reduced by careful siting of noise sources.
14	MC00	Prior to the commencement of the development a noise impact assessment is required and must be submitted for the proposed development and to be approved in writing by the Local Planning Authority. The noise impact assessment must include details of a survey of the existing environmental noise in the area and take into account nearby sensitive receptors (existing residential dwellings) and any noise sources being introduced to the area by the proposed application effecting the nearby sensitive receptors by the proposed development. Potential noise sources may include speakers, acoustics with amplification of sound, recorded music for vocals, patron noise, vehicular movements, deliveries, waste collection services, etc.
15	MC00	Prior to the commencement of the development a detailed Dust Management Plan shall be submitted to and be approved in writing by the Local Planning Authority. The Dust Management Plan shall identify the types and locations of works which are likely to cause noise and dust disturbance to sensitive receptors and:

Condition number	Condition code	Condition text
		• Minimise dust arising from such works by technical and physical means, and through work scheduling & management best practice. • Identify (and make stakeholders aware of) the person responsible for recording, investigating & dealing with complaints from residents. • Set out a communication strategy to keep regulators, resident and other stakeholders advised well in advance of specific works which are likely to cause dust disturbance. • Ensure that as much of the disruptive dust generating work as possible is carried out during the normal construction operating hours. • Regularly review the Noise and Dust Management Plan. Any amendments which may have an impact on noise or dust sensitive receptors shall be agreed in advance with the regulator and communicated to all other stakeholders.
16	MC00	Prior to the commencement of any use within the development where food and drink are prepared, cooked or served, a scheme for the ventilation and means of discharging and dispersing fumes and the prevention of nuisance caused by odour from the development shall be submitted to and be approved in writing by the Local Planning Authority. The submission shall include an odour risk assessment, the design configuration, odour abatement technology and specification for the scheme for the ventilation and means of discharging and dispersing fumes from development, including a scheme for the installation of equipment to control the emission of fumes and odour from the premises. The scheme shall be designed in accordance with the guidelines set out in the Defra report “Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems”. All equipment installed as part of the scheme shall thereafter be operated and maintained in accordance with the manufacturer’s instructions.

Condition number	Condition code	Condition text
17	AC16	No more than nine caravans, three camping pods and five tents shall be stationed/pitched on the land at any time.
18	AC20	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.
19	LD21	No works or development shall commence until a full specification of all proposed tree planting has been submitted to and approved in writing by the Local Planning Authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting. The planting shall be designed (and existing trees removed if necessary) so as to provide a tree free area at least 5m either side of the public sewer route crossing the site . The tree planting shall be carried out in accordance with the approved specification.
20	MHC-09B	No part of the development must be brought into use until the access, parking, manoeuvring and turning areas for all users has been constructed in accordance with the details shown on plan number pp1 2/11/22 Rev 22/10/24. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.
21	MC007	Development may not be begun unless: • A biodiversity gain plan has been submitted to the Local Planning Authority, and • The Local Planning Authority has approved the plan.
22	MC008	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 copy of the completed biodiversity metric.

Condition number	Condition code	Condition text
		• Description and evaluation of the habitats to be retained, enhanced and/or created onsite. • Detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric. • Preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years. • Details of the persons or organisation responsible for implementation of the plan. • Details of the proposed habitat monitoring and plan review on a five year cycle
23	MC02	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 8 of the submitted Preliminary Ecological Appraisal dated 15 October 2024.
24	MC00	If the use of the building and camping pods for the purposes hereby approved permanently ceases within five years from the date on which the development was substantially completed, 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.
25	LD27	The access and parking areas hereby approved shall be surfaced with gravel (other than sett kerbs and tarmac at the site entrance, as shown on dwg number pp1 r6. The development shall not be brought in to use until the access has been surfaced in accordance with these details. The access surface shall be maintained in that condition in perpetuity.
26	MC00	The wildlife ponds 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 100 metres of the ponds or around the edges of the ponds hereby permitted in order to ensure that the ecological value of the ponds is maximised.

Condition number	Condition code	Condition text
27	MC00	The development hereby permitted shall not be brought into use until the approved renewable energy measures on site have been installed and thereafter maintained in a working condition.

Informative(s)

Informative number	Informative code	Informative text
1	AD INF1	Any advertisements displayed in relation to the development hereby approved are likely to require the separate express consent of the Local Planning Authority under the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.
2	MC INF00	In relation to the requirement for a noise impact assessment, this is required as it is reasonable to anticipate that particularly during the spring and summer periods music may be played at the venue and by customers staying at the establishment. The conditions required in order to ensure the residential amenity of the neighbouring occupiers can reasonably expect to enjoy is adequately protected. Existing environmental noise in the area and take into account nearby sensitive receptors (existing residential dwellings) and any noise sources being introduced to the area by the proposed application effecting the nearby sensitive receptors by the proposed development. Potential noise sources may include speakers, acoustics with amplification of sound, recorded music for vocals, patron noise, vehicular movements, deliveries, waste collection services, etc. Music and other noises noise can have a large dynamic range so the LAeq would underestimate the effect off the noise at the receiver. Therefore, noise breakout should be controlled such that, at the times of operation, complies with the following standard at the nearest sensitive location. A sensitive location could be an amenity space for daytime operation or proximity of a bedroom window for night-time.

		The data should be specified in 1/1 or 1/3 octave bands. These data would be required to design the building envelope. Nevertheless, for music noise, particular attention should be given to controlling noise in the 1/3-octave bands below 130 Hz. Any assessment should consider the following - According to Noise from Pubs & Clubs - Phase 1 by Davies et al on behalf of Defra (Oct 2005), noise levels measured in bars & restaurants during quiet periods showed noise levels of 65-70 dB LAeq. Noise levels of up to 88 dB LAeq were measured during busy periods in bars not playing music i.e. just customer noise. Many bars playing music had noise levels of 90-95 dB LAeq during busy periods with noise levels on dance floors of night clubs measured at up to 105 dB LAeq. Noise levels of up to 115 dB Leq in the 63 Hz octave band & 110 dB Leq in the 125 Hz octave band were recorded on dance floors of night clubs. Lmax noise levels are obviously higher than Leq noise levels. Differences of between 5 & 15 dB were noted between Leq & Lmax, for both A-weighted & octave band measurements.
3	MC INF00	Any assessment submitted scheme shall be carried out in accordance with the guidelines set out in the Department of Environment Food and Rural Affairs' (Defra) document - "Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems – 2005" Regarding noise from the kitchen/plant etc. necessary for the odour control or mechanical ventilation extraction, no scheme of mitigation or conditions have been submitted by the applicant that offer mitigation or control the noise from such systems.
4	MC INF00	All cleansing stations and toilet block facilities must be of a suitable standard and condition in accordance with the Building Regulations Approved Document G and also meet the standard contained within BS 6465-1 1994.
5	MCINF02	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property

		Search Service on 08457626848 or on the ground stability web site.
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Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0730

Scale: 1:1250

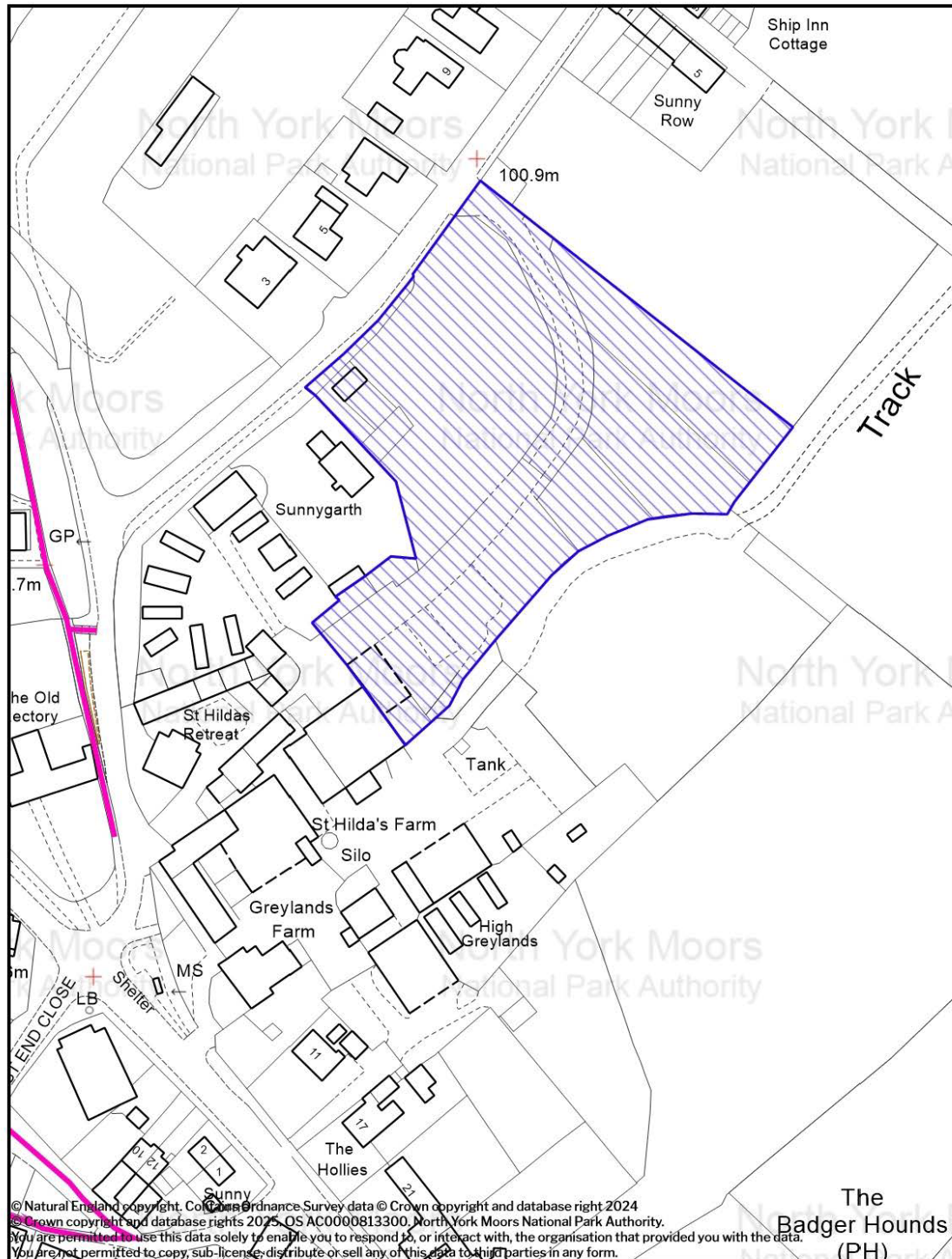


Photo showing the property at St Hildas which provides holiday accommodation



View from Rosedale Lane looking south into the site



Consultation responses

Parish

Original plans - Object on the following grounds:

History and visitor accommodation capacity - St Hilda's Farm and holiday complex has a long history of planning breaches. This site already has been developed over many years. The original working farm had planning permission for a caravan site with 9 static caravans. The site currently has nine statics units, as most statics sleep six persons, therefore up to 60 persons. The original farmhouse and the courtyard have capacity for a further 36 guests.

Add to this total the proposed accommodation in nine caravans, three pods and five tents - 17 units at approx. 4 per unit is a further capacity for up to 70 persons.

One complex with upwards of 150 guests at peak time is strongly opposed.

The Complex previously had permission for a cafe/bar for its courtyard, but this was never actioned and then had permission to be turned into another accommodation unit.

The site appears to be open for 12 months a year – not seasonal.

Location and access - The main entrance is now accessed from Rosedale Lane, Port Mulgrave - holidaymakers all travel by car and access the site off Rosedale Lane. This is a narrow lane (177 inches at one point) which is the only access for residents of Port Mulgrave. There is a pavement on one side only and this has to be crossed by traffic entering and leaving St Hilda's Complex. No room for two motorhomes to pass without mounting the pavement. Motor homes and caravans are higher than most vehicles and the established trees that border Hinderwell Cemetery will be damaged by these vehicles. It will also lead for more supermarket delivery vans.

Visibility is usually blocked by the overgrown hedge, which is under the control of the owners of this site.

Too much tourism - There is already a caravan site at Port Mulgrave. In nearby Hinderwell there are two more large caravan sites at Serenity and Gatehouse, and static caravans at the Badger Hounds, Greylands Farm and Fern Farm.

Hinderwell Parish Council's recent survey in November 2024 covering Port Mulgrave identified that if this complex was to further expand the ratio for Port Mulgrave would be 70/30 with residents outnumbered by visitors. Hinderwell is already 60/40 – so where do local families live?

Impact on neighbours and infrastructure - The noise nuisance is constant from the Complex already. Throughout the summer months neighbours are regularly bombarded with loud music from this site there is also an issue with light pollution.

The site already causes severe flooding at the bottom of the hill below the main farmhouse. More buildings and access roads with hard standing and gravel will only lead to more water coming down the original farm drive and depositing gravel and debris which blocks the roadside drains and then prevents access to Port Mulgrave for residents.

Environment - The application includes a wildlife pond, but what guarantees that it will be maintained.

The Environmental Survey says there are no Bats within 200 yards of the site – Hinderwell Parish Council and local residents are very aware of a maternal roost only a few yards away on Porret Lane.

The site is within the North Yorkshire Heritage Coast, which should provide protection in conserving the natural beauty of the area.

Local housing needs - The site in this application was visited in December 2015 by Chris France, representing North York Moors National Park Authority during a tour of Hinderwell Parish looking at possible affordable housing locations. Nine possible locations were looked at.

This site was identified as a future location for local housing which the Parish desperately needs. Chris France identified the site as suitable as a small-scale site. The North York Moors National Park Authority is well behind its target of building affordable homes - Sacrificing this location for tourism does not enhance the Parks qualities for its residents.

13/01/2025 – Amended plans - Hinderwell Parish Council has seen the amended plans and our comments and original objection still stands.

Highways

This recommendation is based on the application to add to the facilities and is based on all this additional traffic using the access on Rosedale Lane for entry and exit.

No objections subject to conditions regarding access and turning. This is on the understanding that the parking spaces for the existing and approved buildings within the blue line area will remain available for their intended purposes.

The Local Highway Authority would not anticipate any vehicles associated with visiting the application site to cause an obstruction on the public highway as there is expected to be sufficient parking provided for visitors and deliveries.

Yorkshire Water

20/11/2024 – Waste Water - It appears from the submitted site layout that new tree planting will be sited over the public sewerage system located within the site. This could seriously jeopardise Yorkshire Water's ability to maintain the public sewerage network and is not acceptable.

We therefore object to the development layout as currently shown. I strongly advise that, prior to determination of this application, the site layout is amended to allow for adequate protection of the sewers.

13/12/2024 – The following point should be addressed: -

The site layout shows new tree planting will be sited over the public sewerage system located within the site. There should be no new tree planting within 5 (five) metres of the public sewer network. As the plan stands and using its scale, it appears it is approximately 4 (four) metres either side of the public sewer centreline.

I would recommend the agent shows the stand-off clearly outlined on the plans submitted.

North Yorkshire Fire and Rescue

No objection/observation

North Yorkshire Police – Designing Out Crime Officer

No objections but make comments regarding need to provide lighting to external doors and parking areas; provision for secure cycle parking and that any facility including a bar will need to apply for a premises licence.

Police – Traffic

No comments received

Environmental Health

Environmental Protection – no objections subject to conditions regarding the following: -

- Noise from construction works
- Dust from construction works
- Noise from commercial operations - including music
- Odour from commercial operations - including cooking
- Cleansing stations and amenity/toilet blocks
- Lighting from the site

Whitby, Scarborough and Ryedale Disability Action Group

No comments received

Third party responses

C Barker, Greylands Farm, Hinderwell

Object for the following reasons: -

- Over the past 40 years St Hilda's Farm change from a successful farming business to a commercial holiday complex.
- There is currently a caravan site containing nine static or similar structures. These are occupied full time, not seasonal and they cause a lot of noise in the summer months. Loud music every weekend. This is not controlled by the site managers who live close by.
- There is also the converted farmhouse and courtyard which has accommodation for a further 36 guests. Add this to the caravan site accommodation (approx. six per static) gives capacity for over 80 guests.
- This new application could give capacity for a further 70 guests. The noise, lights, vehicle traffic is not justifiable in such a small community.
- We do not want tourists and their pets right on our doorstep. They bring noise, litter and stress to our livestock. They will not enhance the natural beauty of the National Park.
- The plans indicate that 12 trees are to be planted in the boundary hedge between the two farms. This hedge has been grown and maintained by Greylands Farm for the past 40 years. The trees should be planted on the inside of the site, on St Hilda's side, so they do not damage our hedgerow, which is in a Department for Environment Food and Rural Affairs Countryside Stewardship scheme. They should be several yards into their property so that acorns and sycamore seeds do not poison our livestock.
- There is already a caravan site at Port Mulgrave and two larger ones in Hinderwell – we need local housing, and this site was identified back in December 2015 as a potential site by the Chief Planning Officer, Chris France.
- Likely to result in a significant increase in noise, activity at the site, and vehicular traffic in and out of the site, which would result in unacceptable harm to the private amenities of the occupiers of the adjacent dwellings.
- The proposed development will not benefit Hinderwell's residents either socially or economically. We are outnumbered by visitors 60/40 already – this could be a higher figure 70/30 or 80/20. The tourists go out every day and do not stay in the village and spend their money here. They book a supermarket food delivery rather than spend locally.

St Hilda's Old School Committee, Hinderwell Village Hub and Tearoom, St Hilda's Old School, 6 High Street, Hinderwell

Object for the following reasons: -

- Hinderwell Village Hub and Tearoom exists for its local community and an influx of more holiday makers will impact negatively on our business. We serve our community, providing social activities and events plus a tearoom. We operate all year. Staff need somewhere to live locally – more local homes are needed – Not accommodation for holiday makers. There are already sites within Hinderwell and Port Mulgrave for caravans and camping.
- Environment – The site falls within the North Yorkshire and Cleveland Heritage Coast which should provide a layer of protection in conserving, protecting and enhancing the natural beauty of the coast as well as the built environment of coastal villages. Is allowing more tourism to destroy our natural environment one of the National Park targets?
- Traffic – Hinderwell has a busy High Street, which leads to Rosedale Lane, where the entrance to the site is located. Vehicles entering and leaving the proposed site will cause lots of problems for both pedestrians and vehicles. The lane is narrow and there are no passing places for the larger motor homes and caravans. More noise, more pollution, more negative impact on residents.
- The proposed development will not benefit Hinderwell's residents either socially or economically. We are outnumbered by visitors 60/40 already. Does the Planning Committee want it to be a higher figure 70/30 or 80/20. When will you stop allowing tourists to destroy our beautiful National Park.

S Croft, The Hollies, 17 High Street, Hinderwell

Object for the following reasons: -

- Extra, sometimes larger, traffic that will use Rosedale Lane.
- Already have to deal regularly with people coming up my drive asking where St Hilda's is, that will get worse as they predict an extra 24 cars alone will be using the extended site.
- On top of the extra cars, caravans & campervans that are predicted, with a Bistro being added to the site, there will also be more delivery trucks to supply it. No doubt there will also be an increase in all the supermarket delivery vans that we already see in the village delivering to holiday cottages.
- The existing caravan site already generates a lot of light pollution and noise. Summer evenings will become even less peaceful.

- We already have enough campsites in our village & local area. I think another one in this location will spoil the peace and character of the area for nearby residents

MJ Turner, 7 Rosedale Lane, Hinderwell

Object for the following reasons: -

- The scale of the development will place an overwhelming strain on the nearby street and houses. The approach road is very narrow and used by large farm vehicles and the use will increase risk of accidents. Pavement narrow too so will cause danger to pedestrians.
- Will cause a great deal of noise pollution and traffic emissions. Activities in the campsite such as BBQs will further increase risk of pollution and local fires.
- Disturbance to local wildlife.
- Would impact on the viability of local businesses if campsite provides a takeaway service.
- Would the café be open to the public or have late night music – more noise disturbance.
- No area left for landscaping

S Barley, 7, Rosedale Lane, Port Mulgrave

Object - My elderly parents live directly opposite and will be significantly and negatively impacted by the proposal and disagree to these proposals won't negatively impact the quality of life of nearby residents and especially that of my parents.

There will be a visual impact on the houses opposite due to inadequate boundary planting. Considering the plans are asking for a 12-month site there will in fact be nothing to hide the view of the caravans, associated vehicles, people, noise, dogs and detritus directly opposite and visible from our house. My father would like to invite a member of the planning committee to look across to the proposed site from his kitchen and living room window.

The proposals will result in additional noise as it is for accommodation for an extra 70 guests plus a cafe/bar is not exclusively for residents all accessed from an entrance directly opposite my parents' house and others. The entrance will also have to be widened an extra 2 metres. This is taking what was a rural lane within a National Park area into a major thoroughfare, my parents have seen already a significant increase in traffic and noise directly coming and going into the St Hildas site.

Weekends are mostly already spoilt by the steady thump of bass which carries from the existing caravans on site.

The development will result in further light pollution.

What is a pleasant area and country lane is going to be forever spoilt if these plans are given the go-ahead.

It is not only because of the impact this will have on the value of the house, but also that the character of the area will be changed and damaged, the area will lose something of its natural heritage and charm, that we implore you not to allow these plans as they are to go ahead.

Consultation expiry

20 December 2024

Background

St Hilda's Guest House is located at the northern end of Hinderwell within the main built-up area of the village. The guest house is a former farmhouse, which was granted planning permission in 2017 together with the conversion of existing outbuildings to form 4 no. holiday cottages, a bar, dining area and building to form reception and laundry and staff room. The application also included the use of the farm workers dwelling (Sunnygarth) as managers dwelling together with parking/access works.

There are historical permissions from the 1970s and 1980s for ten static caravans on site, to the rear of the guesthouse and outbuildings.

Planning permission was also granted in 2021 for the change of use of the previously approved bar/dining area to form an additional holiday letting cottage and for the change of use to the previously approved reception/laundry building to form an additional holiday let.

This application seeks planning permission for the use of a field at the rear of the Guest House, holiday cottages and static caravan site, for use as a camping and caravanning site with nine caravan/campervan pitches and five camping pitches, along with the siting of three glamping pods for holiday purposes. It is also proposed to construct an amenity block building at the lower part of the site adjacent the existing managers dwelling and construct a single storey building to provide on-site bar/cafe facilities in place of an existing open sided pole barn.

An amenity area would be provided immediately to the north of the managers accommodation and at the front of the proposed café/bar area.

At the top northern part of the site a small wildlife pond is proposed with a small area of decking from which to view the pond. Additional tree and hedgerow planting is proposed throughout the site.

Main issues

Local Plan

Strategic Policy B - Spatial Strategy - seeks to permit employment and training premises and new facilities and services for the immediate and wider locality in villages such as Hinderwell.

Strategic Policy J - Tourism and Recreation - 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.

Strategic Policy K - The Rural Economy - seeks to support development that fosters the economic and social well-being of local communities where it promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand; it helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors.

Policy UE1 - Location of Tourism and Recreation Development - This policy seeks to permit recreation development where it is located within the main built-up area of one of the villages

Policy UE2 - Camping, Glamping, Caravans, Cabins and motorhomes - seeks to permit small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where it is within the main built-up area of a village, and it is in close proximity to an existing residential unit which will be used to manage the accommodation.

In order to respect the sensitivity of the local landscape character type, all sites must be screened by existing topography, buildings or adequate well-established vegetation which is within the applicant's control. The development should not lead to unacceptable harm in terms of noise and activity on the immediate area; not detract from the character, tranquillity or visual attractiveness of the area; and be of high-quality design which complements its surroundings.

The policy refers to 'small scale' developments which is intended to mean development comprising no more than 12 units are likely to be considered small in scale.

There should be minimal hardstanding for car parking or service roads and external lighting will be expected to be kept a level where it is the least amount needed. The expectation is that any amenity blocks should utilise existing buildings on the site. If there are no suitable buildings, new structures may be acceptable if they are of lightweight design and construction so that they can easily be removed from the site.

Policy BL8 - Shops, Offices and Food and Drink Services - this supports food and drink services where the proposal is within the main built-up area of Larger Villages such as Hinderwell.

Policy C02 - 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.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity - seeks to ensure the conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park is given great weight in decision making and goes on to state that development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that there are no alternatives, there are suitable mitigation measures, any residual harmful impacts have been offset through appropriate habitat enhancement and the wider sustainability benefits of the development outweigh the harm to the protected or valuable interest.

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.

Material considerations

Tourism development vs housing development

Strategic Policy J and Policy UE1 support in village tourism. The Local Plan also supports the development of housing on suitable sites within villages.

However, there are no sequential tests to these policies which would enable the refusal of one type of development due to favouring of the alternative.

Whilst the Parish Council and third parties would support affordable housing on this site, such an application has not been submitted, and therefore an alternative policy compliant development, such as small-scale tourist accommodation, cannot be refused for this reason.

Number of units

Policy UE2 refers to 'small scale' developments but states that scale may vary according to the type of accommodation and the sensitivity of its location, but as a guide suggests no more than 12 units.

This proposal relates to an existing tourism complex, which already provides a range of accommodation, from guest house, holiday cottages and static caravans. It does currently provide more than 12 units.

However, the type of accommodation proposed to be accommodated onsite is considered smaller scale than what is already provided for, in the form of nine touring caravans or motor homes and three camping pods, along with pitches for five tents. Therefore, a pragmatic approach has to be taken as to whether this modest increase, in an in-village location where tourism development is supported by the Local Plan would have an unacceptable impact on the character of the locality and amenities of occupiers of nearby residential properties.

The overall development is still considered to be small scale in line with the level of development the Local Plan envisages and is unlikely to be visually intrusive in the immediate or wider locality, both through the topography of the sloping site, combined with existing and proposed planting.

The number of units proposed allows for more space around each pitch, to allow for more comprehensive landscaping and allow well screened car parking.

Consequently, it is considered that the number of units proposed, in conjunction with the position of the managers accommodation immediately adjacent the site, and the conditions recommended to control noise means, the development would be unlikely to have an adverse impact on local amenities.

Highways

Whilst the Parish Council has expressed concerns regarding highway safety the Highway Authority has no objection to the proposal subject to conditions relating to access and parking provision. Consequently, it is not considered that a refusal could be upheld on highway safety grounds.

Dark skies

With regards to the Authority's Dark Skies status, careful consideration has been given to external lighting to keep this to a minimum. The Authority's Dark Skies Officer has considered the proposal and notes that low energy downlight bollards are proposed. However, it is recommended that a condition is attached to ensure they meet dark skies standards, for example in terms of shielding or bulb colour temperature and timing controls to ensure they are only utilised when needed.

Flood risk, drainage, surface water

The Parish Council have raised concerns regarding the drainage; however, Yorkshire Water have confirmed they have no objections to the principle of the proposals, providing landscaping does not encroach on protection areas for underground pipes.

It appears that some planting has previously been undertaken in these areas and the applicants have indicated that they will re-locate these existing trees to meet Yorkshire water requirements.

Ancillary development

The proposed small amenity building is simply designed, clad in timber with a dark roof and solar panels. This building would not be visually intrusive in the immediate or wider landscape and would be in accordance with Policy UE1 and UE2.

In terms of the proposed café building, this has been significantly reduced in scale and again would be of simple timber design, in keeping with the agricultural buildings adjacent. It is considered that this small café building would be in accordance Policy B8.

Wildlife pond

The addition of a proposed wildlife pond is considered to add to the biodiversity of the site and there are no objections from the Authority's Ecologist.

Conclusion

One of the big changes to the 2020 adopted Local Plan was a policy change to foster more 'in village' tourism accommodation. In view of the above assessments, it is considered on balance, that this is already a developed in- village tourism site, where there is pressure for tourism accommodation, the addition of these units would not cause harm to the character of the area and consequently approval is recommended.

Pre-commencement conditions

Condition(s) 14-16,21 and 22 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 4, Objective 17 which seeks to create a place that lifts the nation's health and wellbeing.

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 reducing the size of the proposed café building, so as to deliver sustainable development.

North York Moors National Park Authority

Plans list item 3, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0825

Development description: Construction of one local occupancy dwelling (NPPF para. 84) with associated garaging, stabling, access, parking and landscaping together with equine building (barn) with green roof and solar panel system (revised scheme to NYM/2023/0063)

Site address: land adjacent to Willow Wood Way, Stainsacre

Parish: Hawsker-Cum-Stainsacre

Case officer: Hilary Saunders

Applicant: Mr W and Mrs D Fletcher, 3 Stakesby Vale, Whitby, YO21 1JZ

Agent: Yorkshire Planning Consultants, fao: Cheryl Farrow, High Mitten Cottage, Back Lane, Hawsker, Whitby, YO22 4FQ

Director of Planning's Recommendation

Refusal for the following reason (s)

Reason(s) for refusal

Refusal reason code	Refusal reason text
1	Policy CO8 of the North York Moors Local Plan only permits local occupancy dwellings on suitable small sites within the main built up area of a smaller village such as Stainsacre. The application site is located well beyond what constitutes the main built up area of the village of Stainsacre (beyond an exception site affordable housing development) and therefore would not comply with the criteria of Policy CO8, and for the purposes of the policies in the North York Moors Local Plan, the site falls within open countryside. Strategic Policy M and Policy CO10 of the North York Moors Local Plan restrict new residential development in the open countryside to that which is proven as essential for farming, forestry or other essential land management activities. If permitted, the proposal would represent 'sporadic' development in the countryside which would significantly harm the landscape character and special qualities of this part of the National Park. This would conflict with Strategic Policies A, B and M and Policy CO10 of the North York Moors Local Plan which set out the spatial strategy for development and seek to conserve and enhance the special qualities of the National Park.

Refusal reason code	Refusal reason text
2	The proposed scheme fails to provide special justification as to why it should be considered to be acceptable, being contrary to the requirements of Strategic Policy M and Policy CO10 of the North York Moors Local Plan. It is also not considered to meet the requirements of Strategic Policy C of the North York Moors Local Plan which seeks to maintain and enhance the distinctive character of the National Park with development that is of high quality design that reflects architectural character and form of the local vernacular. Furthermore, it is also not considered to meet the criteria of Paragraph 84 of the National Planning Policy Framework which relates to isolated homes in the countryside, as the site is not isolated and the design of the proposed building is not of exceptional quality (that special justification may be considered to grant approval in accordance with which states that very occasionally approval may be granted for an isolated new dwelling where the design is considered to be truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas).
3	The proposal would create a substantial four bed dwelling (each with ensuite bathrooms) with a total internal floor space of over 330.sq.m, which the Local Planning Authority does not consider would meet the identified need for smaller dwellings and would therefore be contrary to Policy CO8 of the Local Plan insofar as the limited opportunities for housing development would not be used to provide for the type of housing needed to maintain a sustainable local community.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0825

Scale: 1:1250

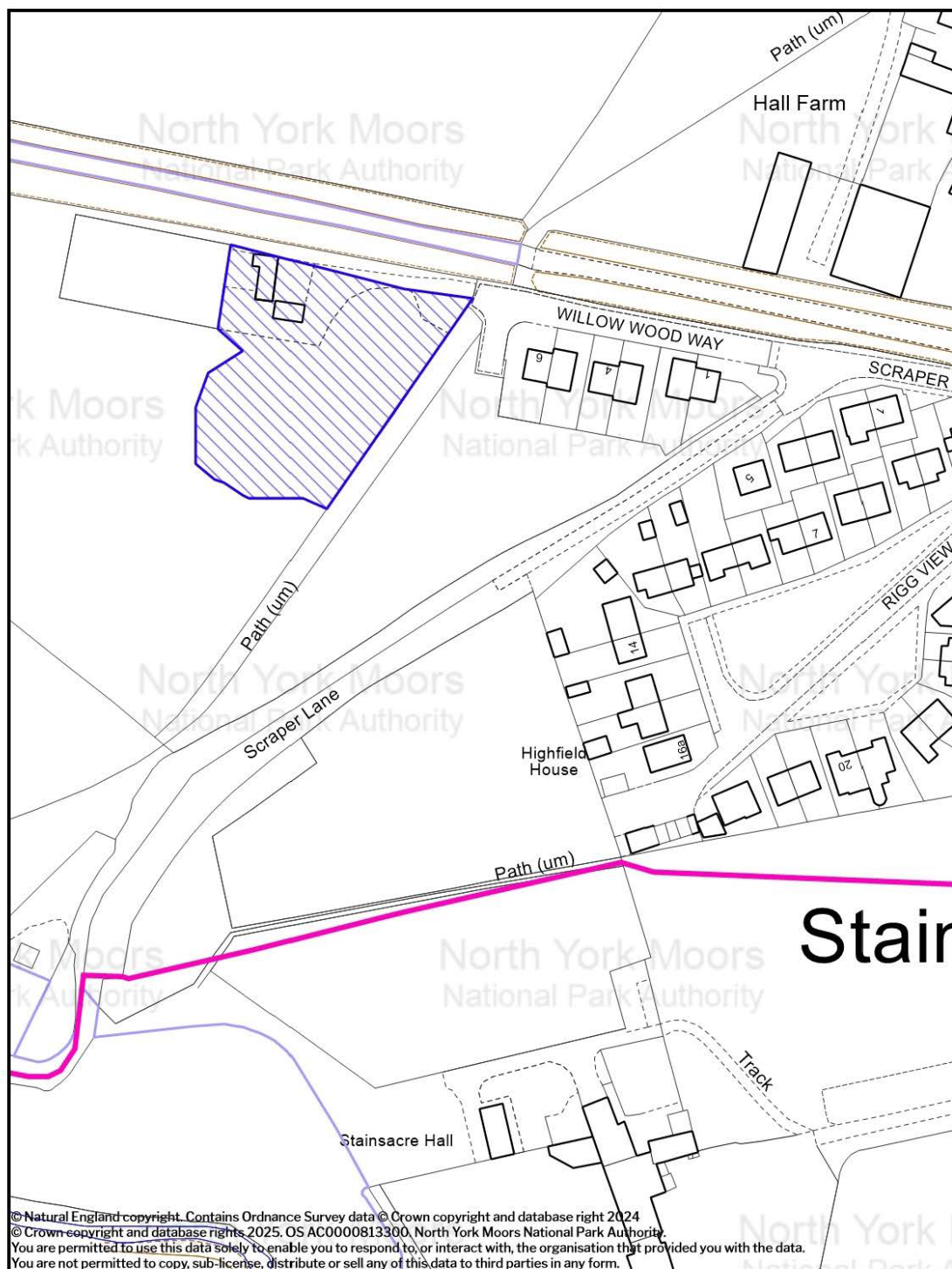


Photo showing site of proposed dwelling at end of Willow Wood Way, to the left and forward of the stable building.



Consultation responses

Parish

Council supports this planning application. The plans show that the home is ecologically conscious, in keeping with a paragraph 84 home (NPPF Paragraph 84 houses of exceptional quality) and the Parish Council feel that supporting families to remain in the Parish is a key feature of new housing developments.

Highways

The Local Highway Authority (LHA) are assuming from the application documents that the proposals are intended to be ancillary to the field shown in the blue line plan. The recommendation is made on the clear understanding application area outlined in the red line area and the field are shown in blue will be conditioned to remain ancillary to each other.

The existing access off Willow Wood Way has damaged dropped kerbs. The LHA assumes that this damage has occurred due to the difference in levels between the carriageway level on Willow Wood Way and the lower levels in the field.

Consequently, the Local Highway Authority recommends that conditions regarding the access are attached to any permission granted.

Environmental Health

Environmental Protection - No objections subject to conditions.

Housing – no objections

Forestry Commission

No comments received

Police – Traffic

No comments received

Third party responses

A Burke, 87 Church Street, Whitby - The application seems to address many aspects of local needs regarding housing. The proposed dwelling is of an innovative design which addresses the need to provide interesting and ecologically sound homes for local people. The occupants will then be able to look after the surrounding land give added security by living in the property and help and take part in village life.

P and A Harris, 1 Southlands Avenue, Whitby - Support the revised planning application. It is refreshing to see a design which is unique, innovative and ecologically sensitive. The Fletchers are a local family with children and grandchildren all residing in Whitby and Stainsacre and the house would be a permanent family home, a refreshing change from second homes, holiday accommodation or large speculative estates built by national developers.

We are aware a considerable amount of extra work has been undertaken to ensure this revised application complies with both the National Park Authority and local planning regulations.

S. C. Spencer, Dale View House, Stainsacre - Mr and Mrs Fletcher keep horses on their land at Willow Wood Way and they attended to them at least twice every day. It would make sense for them to be able to build a home to live on their land. The traffic through the village and particularly under the railway bridge would be reduced if they only needed to leave to travel to work. They would be on hand to care for the horses especially in an emergency.

There has been very little building in this village over many years apart from that on Willow Wood Way. I would respectfully suggest that this development will not be out of place and should be allowed to proceed.

K Knaggs, 28 Summerfield Lane, Stainsacre - Support. The applicants spend a lot of their time back and forth to the village caring for their animals and looking after the land and I think it would help if they could live on site, reducing on the amount of traffic through the village and in particular down Willow Wood Way, they would only need to leave to go to work like any other resident of Willow Wood Way, whereas now they need to be back and forth to attend to the animals two and three times a day, They arrive in 2 vehicles then go their separate ways to work, the traffic through the village could be reduced dramatically.

The planning is eco-friendly therefore reducing their carbon footprint, which has got to be beneficial for the National Park.

M Fletcher, 6 Willow Wood Way, Stainsacre - Support - I work from the applicant's home office therefore, if allowed, it would allow me to walk to work, so less vehicular movements on Willow Wood Way.

In addition, I have no windows in my property that would be obscured by the proposed dwelling on the adjacent application site. The proposed ground floor is substantially lower than my ground floor. I am the closest home / building to the proposed build and think the design is very well thought out using local materials and keeping the overall height lower than my property so as to blend into the landscape.

Furthermore, as the proposed development is in line with Willow Wood Way and the stables it appears to fill a 'small gap' in an otherwise continuous built-up frontage and is in harmony with the localised street pattern rather than a 'sporadic development'.

N Mosley, Morfa Cottage, Hawsker - Support. I pass the proposed site on a regular basis via the cinder track and think the proposal will be an asset to the village and be sympathetic to the surrounding environment.

Also contributing to the needs of local housing, while also reducing local traffic, as they will be permanently on site to tend their stables, instead of travelling back and forth numerous times a day.

Mr and Mrs Verity, 30 Hudson Street, Whitby - Support - fantastic to see a property that is not identikit also a future home that will be built and lived in by a local family.

It's innovative well thought out design appears to conserve and enhance the natural beauty of its surroundings.

Mr and Mrs Fletcher have kept horses on their land for many years, tending to them frequently every day and we see it to be more than agreeable that they build a home there.

The proposed property is not an isolated case, and the property will adequately fit within developed and developing boundaries allowing it to sit comfortably. The proposed property we believe will maximise the potential of its site and with all its energy efficient and ecological measures considered we understand it to be an environmental enhancement to what already exists.

In addition to Mr and Mrs Fletcher moving into the property the sale of their current home will release a much-needed central family home onto the Whitby market.

A Fredman, 5 Willow Wood Way, Stainsacre - Support - I previously wrote in support of Mr and Mrs Fletcher's previous planning application in 2023 was extremely disappointed this was turned down and the support of neighbours, villagers and the parish council who did not object was not taken into account.

Believe the applicants have improved upon their existing plans to create a unique and sustainable architectural home - that will be an asset to the local area and the National Park. The design has the wow factor yet is in keeping with the surroundings.

I understand it would be the 'first' para.84 dwelling in the North York Moors National Park which I think is very exciting for the village and wider community in Whitby which has much unique architecture along with many new builds and developments either in the planning stages, under way or that have been built recently along with buildings hundreds of years old. It is clear a lot of thought and effort has gone into creating this application.

The new and extremely forward-thinking horseshoe design would fit in perfectly into the surrounding area and does not intrude on neighbouring properties. It will replace existing equestrian buildings and look much more attractive. The field is shielded by shrubbery and not very visible from either the cinder track or Willow Wood Way. I believe the plans fully comply with the new National Planning Policy Framework (NPPF) and I like the idea of the glass and environmental factors that have been taken into account.

Would significantly reduce the number of journeys/traffic along Willow Wood Way as they would already be living on the site. This would therefore not affect local residents.

In terms of the design of the new 'Horseshoe House' designed property, I cannot see how the applicants could do any more to meet the strict criteria set out by the National Park. I think the National Park planners do need to consider the wealth of development taking place in view of Willow Wood Way and plans for further housing on an adjacent field at Broomfield Farm all of which is visible from the second floor of the homes in Willow Wood Way. Before long the boundary of Stainsacre and Whitby will cease to exist due to the large number of new builds continuing along the A171.

The proposed new home does not sit in isolation and fits in with the nearby properties and landscape and would be an exceptional asset to the local area on a field which already has existing buildings and is not overlooked. I particularly like the North Yorkshire Moors Stone being used for building materials, the grass roofs and array of solar panels along with the water catchment scheme.

The new home will be a self-build project using local labour and suppliers therefore benefiting the local economy.

With the new Labour Government's plans to rapidly increase house building targets, one single home with such an exciting design concept on this site would not be of detriment to the National Park.

Consultation expiry

28 December 2024

Background

The land to which this application relates forms a small part of a parcel of agricultural land of approximately 2.3 ha (5.68 acres) in area, located at the end of Scraper Lane and accessed from the housing development known as Willow Wood Way. The site is bounded to the north by the old railway line which is used as a permissive path by walkers and the land slopes downwards from northeast to southeast.

This application seeks planning permission for the construction of a four-bedroom, two storeys dwelling with associated stables and garaging, sited to the southeast of the existing stable block and riding arena and over 30m to the west of the nearest house on Willow Wood Way incorporating several unusual construction features. The site is located beyond the built-up limits of the village, beyond an “exception” affordable housing development, and is considered to fall within the open countryside.

The dwelling and associated stables would be of contemporary design, in a horseshoe shape, with sedum roofs, timber cladding and stone, with elements of electrochromic glazing.

At ground floor the living space would comprise an open plan living, dining and kitchen area, large entrance hall an office room, utility room, wet room, therapy room and double bedroom. At first floor the living accommodation would comprise a double bedroom with dressing room and en-suite, two further double bedrooms, each with ensuite bathroom's, a living room and galleries landing, along with a large roof terrace. The remainder of the horseshoe shape building would provide four stables with the opposite site of the building being sub-divided into four units, without a specified use. A substantial solar panel array would be installed on the roof of replacement barn building adjacent to the riding arena. The applicants acknowledge the site is open countryside where housing is not normally permitted unless for essential land management purposes, instead they have cited NPPF paragraph 84 (e) which, exceptionally allows for housing to be built in isolated rural locations where they evoke the ‘long traditional history of isolated English country houses. The planning policy bar is very high, and many applications fail at application and appeal stages because they are not ‘isolated and truly exceptional’.

This application is a re-submission following refusal of permission in 2023 for the construction of a four bedroom, four level dwelling. That dwelling would have been partly dug into the sloping site and clad mainly with dark grey Siberian larch timber boarding with some stone, with the main roof being clad in dark grey/black corrugated sheeting and the lean-to in either clay pantiles or sedum with dark grey aluminium window and door frames.

That application was refused on the basis that the site is not located within the main built-up part of the village and would comprise new housing development in the open countryside, which is restricted to that which is proven as essential for farming, forestry or other essential land management activities. There was no agricultural need or any justification to set aside the strong policy objection and no material planning reasons to give such a proposal favourable consideration and create a precedent for other sites within the rest of the National Park. Nor was it considered to meet the requirements of Para 80 (now Para 84) of the NPPF.

It is not considered that there have been any material planning considerations to warrant a different decision being taken now.

The planning history prior to that 2023 application is quite complex.

Prior to the construction of the dwellings at Willow Wood Way, the land formed the eastern part of the original field within which the current application for a dwelling is located. It comprises a residential cul-de-sac approved as an exception site for affordable housing in 2011 (Sanctuary Housing Association). This was approved under Core Policy K of the 2010 Local Plan which sought to permit the development of 100% affordable housing, as an exception to normal housing policy where need has been identified and on sites adjacent to the main built-up area of the Service Villages.

When this housing scheme was approved, vehicular access to the field (current application site) was retained for agricultural access. The field was subsequently sold off as an individual parcel, separate from the farm holding it was previously part of.

In 2014, full planning permission was refused for the erection of stables and tack room and a separate field shelter due to concerns that the proposed stable building and associated equine use would result in unacceptable levels of activity (vehicular, horse and pedestrian movements).

The proposal was subsequently allowed at appeal with the Inspector concluding that as the stables wouldn't be visually intrusive in the wider landscape, and that provided conditions were attached so that there was no commercial use of the site, activity levels could be very similar if used for grazing other livestock.

A revised and retrospective application was then submitted in 2015 for the siting of the stable 10 metres to the east of its approved location, and also to change the use of the land from agricultural grazing to the keeping of horses. This was approved and conditions were attached, restricting the number of horses kept on the field to four and restricting the use of the field only for horses kept for leisure purposes by the applicants from their dwelling in Stainsacre.

Planning permission was then granted in 2018 to increase the number of horses from four to five and to sever the tie to the house in Stainsacre as the field had been purchased by the current applicants who live in Whitby. Planning permission was also granted in 2018 for the construction of a manege, with the justification put forward by the applicants being that the manege would enable the applicants to have private lessons onsite reducing the number and frequency of vehicle movements as they would be having to take the horses elsewhere less often.

Main issues

Local Plan

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, but 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 B (The Spatial Strategy) sets out how development will be guided by the settlement hierarchy.

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 and design details that reflect architectural character and form of the original building or the local vernacular; 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; sustainable design and construction techniques are incorporated; 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 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, particularly for younger people needing to set up home for the first time. In order to achieve a better balance within the housing stock, all new build housing developments should meet the need for smaller dwellings... as a general principle the Authority is looking for housing development that will meet the growing need for dwellings for smaller households. This approach has been referred to in recent appeal decisions where the Inspector has specifically cited the Local Plan requirement for smaller houses. Larger homes can be created from conversions.

It is also explained that it is not intended to allow consolidation of sporadic outlying development or to allow villages to expand into open countryside. Gaps created by the development of rural exception sites will not be considered to be suitable small sites.

Policy C08 (Housing in smaller villages) sets out that in order to maintain the tranquil rural character of Smaller Villages, local needs and affordable housing will only be permitted on suitable small sites within the main built up area of the village, where development respects the form and character of the settlement and meets the need for smaller dwellings; or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

Policy C010 (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; or where a rural building is of architectural or historic interest and is to be converted.

Policy C011 (Affordable Housing on Rural Exception Sites) seeks to permit development of 100% affordable dwellings as an exception to policy on appropriate sites in order to meet specifically identified local affordable housing needs. However, development will only be permitted where the need is supported by an up to date local housing needs survey; the number, design, materials and proposed layout of the dwellings are appropriate to the size, form and character of the settlement; development does not significantly detract from important views into or out of the settlement; robust arrangements are put in place to ensure that the dwellings remain affordable to the community in perpetuity, and effective community engagement has been undertaken.

Schemes of up to 12 dwellings would normally be considered appropriate.

National Planning Policy Framework (NPPF)

Para 84 of the NPPF states that planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

- there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside.
- the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.

- the development would re-use redundant or disused buildings and enhance its immediate setting.
- the development would involve the subdivision of an existing residential building; or
- the design is of exceptional quality, in that it is truly outstanding, reflecting the highest standards in architecture, and would help to raise standards of design more generally in rural areas; and would significantly enhance its immediate setting, and be sensitive to the defining characteristics of the local area.

Paragraph 84 is a re-embodiment of previous policies contained in previous NPPFs and before that the 2004 Planning Policy Statement 7(PPS7) and originally in the 1997 Planning Policy Guidance (PPG) (introduced by the then Environment Secretary, John Gummer). The origin of this policy was to continue the tradition of English Country Houses –

“An isolated new house in the countryside may also exceptionally be justified if it is clearly of the highest quality, is truly outstanding in terms of its architecture and landscape design and would significantly enhance its immediate setting and wider surroundings. Proposals for such development would need to demonstrate that proper account had been taken of the defining characteristics of the local area, including local or regional building traditions and materials. This means that each generation would have the opportunity to add to the tradition of the Country House which has done so much to enhance the English countryside.”

Material considerations

The site is not located within the built-up part of the village of Stainsacre but is sited immediately adjacent a previous exception housing site scheme. The development would therefore comprise a new dwelling in the open countryside (but is not isolated as required by Para 84 of the NPPF – to continue the tradition of the English Country House which is the policy is designed to achieve in exceptional circumstances). Consequently, the primary considerations are whether there are any special circumstances which would justify the approval of such development.

Paragraph 84 of the National Planning Policy Framework

The architectural and innovation bar is very high for such proposals, many fail on appeal as this policy is an exception to the long-established principle of avoiding new isolated dwellings in the open countryside (for very clear planning reasons). It is therefore inevitable that introducing what is seen as a planning “loophole” will attract a high level of proposals nationally and so to avoid the proliferation of houses in unsustainable and sporadic locations and undermine the general principle of spatial planning the policy bar is set extremely high.

This is even more so in countryside that is nationally protected. Furthermore, as a fundamental requirement is that a proposal is of exceptional quality and design, it is usual that such a scheme would be designed by a qualified architect, and a member of the Royal Institute of British Architects (RIBA).

In the case of this application, whilst the design has been significantly changed since the previous refusal, to be lower in height and to be in a horseshoe shape, the proposed dwelling is not of a remarkable contemporary design or unique and nor is it ground-breaking. Whilst a sedum roof is proposed along with smart glazing (to control light pollution) and a solar panel array and car chargers, these are features that would not be unexpected from a new build development (with the extent of glazing proposed). Nor would the development significantly enhance its immediate setting, but rather appear incongruous in the field, in relation to the linear development of the affordable housing development at Willow Wood Way and the old railway line route.

It is not considered that the design is of exceptional quality, it is not “truly outstanding” and does not reflect the highest standards in architecture, or any reference to the local vernacular, nor would it help to raise standards of design more generally in rural areas or significantly enhance its immediate setting.

It is not considered to meet the extremely high bar of exceptional design required by Para 84 of the NPPF.

Consequently, as this proposal is not considered to meet the criteria set out in Para 84, it therefore must be considered against the Housing Policies contained within the North York Moors Local Plan (outlined above).

Principle of development, size of dwelling, local occupancy and contribution to housing supply

The application site does not meet the requirements of Policy CO8 (which would permit local occupancy dwellings on small sites within the built-up part of the village) as the site is located beyond residential properties that were built on part of this field under the exception site policy for affordable housing. It is set out within the explanatory text of the Local Plan that it is not intended to allow villages to expand into open countryside and that gaps created by the development of rural exception sites will not be considered to be suitable small sites.

On the basis that it is not considered that the site meets the criteria of Policy CO8, nor that the proposed development is of such outstanding design or in an isolated location so as to be considered an exception to normal housing policies under the criteria set out in Paragraph 84 of the NPPF, the proposal needs to be considered against Policy CO10 of the Local Plan which relates to housing in the open countryside.

There is no agricultural justification, although the applicant's agent has put forward a case for a local occupancy dwelling here. Firstly, this is contrary to the requirements of Policy CO10 and secondly, the information provided (and from evidence from previous applications for stabling here) states that the applicants live and work in Whitby and do not have an essential need to live in this location, just a desire to live closer to where their horses are kept and their daughter lives (Willow Wood Way).

Furthermore, even if this was a site that could be considered under Policy CO8 (rather than open countryside), and the applicant's complied with the criteria, it is set out within the Local Plan that new development must meet the identified need for smaller dwellings. This proposal would create a substantial four bed detached dwelling (large bedrooms with ensuite bathrooms, dressing rooms, etc) with a total habitable floor space of over 330sq.m. It is not considered that a dwelling of the size proposed would meet the identified need for smaller dwellings and would therefore be contrary to Policy CO8 of the Local Plan insofar as the limited opportunities for housing development would not be used to provide for the type of housing needed to maintain a sustainable local community.

This policy approach has recently been supported at appeal (rear of Cross Farm Building, Egton, NYM/2021/1005/FL) where the Planning Inspector stated that: -

“With regards to meeting the need for smaller dwellings, the Strategic Housing Market Assessment 2016 (SHMA) reports that the main need is for one and two-bedroom units for affordable housing and smaller three-bedroom units for general housing. Three-bedroom properties can be considered as smaller dwellings and the SHMA does not specify a maximum size for the different types of properties. Nevertheless, the size, scale and design of the appeal proposal would include a large floorplan. This would include a large dressing room and en-suite bathroom; would be set within a large plot with a detached garage/cart shed and therefore could not reasonably be described as a smaller dwelling. The appeal proposal would therefore conflict with LP Policy CO7 which requires proposals to meet the need for smaller dwellings.”

The applicant's agent states that this proposal will help to address the applicants current housing requirement, but it would not address the need within the National Park, which is for smaller and specifically affordable dwellings, which this is not, the proposal would not contribute to housing need within the locality.

Affordable housing need in the parish of Hawsker-cum-Stainsacre

Policy CO11 (Affordable Housing on Rural Exception Sites) seeks to permit development of 100% affordable dwellings as an exception to policy on appropriate sites in order to meet specifically identified local affordable housing needs. However, development will only be permitted where, amongst other criteria, the need is supported by an up-to-date local housing needs survey.

It also sets out that schemes of up to 12 dwellings would normally be considered appropriate in order to meet a wider community affordable housing need.

The existing “exception” affordable housing site on Willow Wood Way was built in part of the same field to which this current application relates, and part of the criteria of that approval was that adequate access was retained along Willow Wood Way to the wide gate to maintain a suitable access to the agricultural field. That field was subsequently sold on by the farmer and now used for the keeping of horses.

However, a further part of the field could possibly be considered appropriate for an extension to the existing affordable housing development, potentially providing further residential units to meet the local housing need which has been assessed through housing needs surveys and parish profile.

Based on data available, it is estimated that Hawsker-cum-Stainsacre currently has an annual affordable housing requirement of five homes per annum and the Housing Needs Survey undertaken by the Parish Council and Rural Housing enabler in 2020 found that a mix of two and three bedroom houses and some one or two bedroom bungalows would reflect the need found through the survey.

As of 06/01/25 there were no two bed properties for rent on Rightmove, and no one or two bed properties for sale in Hawsker-cum-Stainsacre. There were three two bed properties for sale within a one-mile radius.

Also, on 06/01/2025, there was one three bed property for sale in Hawsker-cum-Stainsacre.

However, in Hawsker there was one five bed house for sale, and within a mile of Hawsker and Stainsacre there were eighteen four bed houses for sale. Within Whitby itself, where the applicant’s currently live, and run their businesses, there were thirty-nine four bed dwellings for sale on Rightmove.

Personal circumstances

The applicant’s agent has put forward difficult personal reasons for wanting to construct a dwelling in this location, in addition to wanting to be close to their horses. However, whilst Officers are very sympathetic towards the very difficult time the applicants have recently experienced, these have not been referred to in the considerations above, as personal circumstances are rarely considered to be material planning considerations as a planning permission is for land not individuals.

Furthermore, as outlined above, this proposal is not the only option in terms of meeting personal housing requirements. At the time of writing, there were a wide range of four-bedroom houses for sale in the Whitby area (within one or two miles of the application site)

Conclusion

The site is not located within the main built-up part of the village and would comprise new housing development in the open countryside, which is restricted to that which is proven as essential for farming, forestry or other essential land management activities, or as an exception site for affordable housing.

The current application does not relate to an essential need to live in the countryside, and it is not considered that there is any justification to set aside the strong spatial planning policy objection in this case. The proposal would be considered to add to sporadic development in the countryside entirely contrary to policy, and there are no material planning reasons to give such a proposal favourable consideration and create a precedent for other sites within the rest of the National Park. In addition, no special justification has been put forward as to why the proposal should be considered to be truly “outstanding” as required by Para 84 of the NPPF and the proposal would not accord with the spatial housing policies set out in Strategic Policy M of the Local Plan.

In view of the above 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.

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 4, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0544

Development description: Removal of jetties, siting of two sauna pods on decking and proposed decked seating area with pergola

Site address: Lakeside, Raithwaite Estate, Sandsend, Whitby

Parish: Newholm-Cum-Dunsley

Case officer: Hilary Saunders

Applicant: GHL (Whitby) Limited, fao: Tom Linscott, Lakeside, Raithwaite Estate, Sandsend Road, Whitby, YO21 3ST

Agent: GHL (Whitby) Limited, fao: Tom Linscott, Lakeside, Raithwaite Estate, Sandsend Road, Whitby, YO21 3ST

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text															
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.															
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><tr><td>Document Description</td><td>Drawing No.</td><td>Date Received</td></tr><tr><td>Proposed overview</td><td>908102 S1 Rev P3</td><td>01/08/2024</td></tr><tr><td>Sauna Pod 1</td><td>908106 S1 Rev P01</td><td>01/08/2024</td></tr><tr><td>Sauna Pod 2</td><td>908107 S1 Rev P01</td><td>01/08/2024</td></tr><tr><td>Seating Deck</td><td>908105 S1 Rev P01</td><td>01/08/2024</td></tr></table>	Document Description	Drawing No.	Date Received	Proposed overview	908102 S1 Rev P3	01/08/2024	Sauna Pod 1	908106 S1 Rev P01	01/08/2024	Sauna Pod 2	908107 S1 Rev P01	01/08/2024	Seating Deck	908105 S1 Rev P01	01/08/2024
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Sauna Pod 2	908107 S1 Rev P01	01/08/2024															
Seating Deck	908105 S1 Rev P01	01/08/2024															
3	MC00	The sauna pods and decked seating area hereby permitted shall form and remain part of the wider curtilage of the business currently known as the Raithwaite Estate as a single planning															

Condition number	Condition code	Condition text
		unit and shall not be sold or leased separately from the main business without a further grant of planning permission from the Local Planning Authority.
4	MC05	No work shall commence to clear the site in preparation for the development hereby permitted until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted and approved by the Local Planning Authority. The CEMP: Biodiversity shall include the following mitigation methods: • any materials should be stored on hardstanding or raised off the ground to prevent animals sheltering underneath; • all vehicles should be parked on hard standing, where possible, to prevent damage to the ground flora and soils; • if any below ground works are required, they should be covered overnight, or a ramp added to ensure no animals are entrapped; • no external lighting should be included; • any vegetation clearance required should be done in a linear process to enable any animals to vacate the area; • strict pollution prevention measures; • pre-commencement breeding bird surveys should any vegetation clearance be required during the breeding bird season; • control of invasive non-native species within the works area and ensuring that the works do not cause further spread of these species. The approved CEMP should be implemented throughout the construction process unless agreed otherwise with the Local Planning Authority.
5	MC007	Development may not be begun unless: • A biodiversity gain plan has been submitted to the Local Planning Authority, and • The Local Planning Authority has approved the plan.

Condition number	Condition code	Condition text
6	AC21	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.
7	MISC00	If the use of the sauna pods hereby permitted permanently ceases, they shall not be used for any other purpose and shall be removed from the land and the land shall as far as practicable be restored to its condition before development took place.

Informative(s)

Informative number	Informative code	Informative text
1	MC INFO0	The applicant is advised that they will need formal consent from the North York Moors National Park Authority's Rights of Way Officer to resurface the path with bark chippings. Furthermore, if the sauna is to be powered by electric rather than a wood-burner, then the applicant will need to apply to temporarily close the Footpath whilst the cables are laid from the building to the sauna.
2	MC INFO0	All public rights of way must remain available and unobstructed throughout the development. 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. The National Park Authority must be informed prior to any works undertaken on or adjacent to a public right of way that may impact on its safe use or condition.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0544

Scale: 1:1500

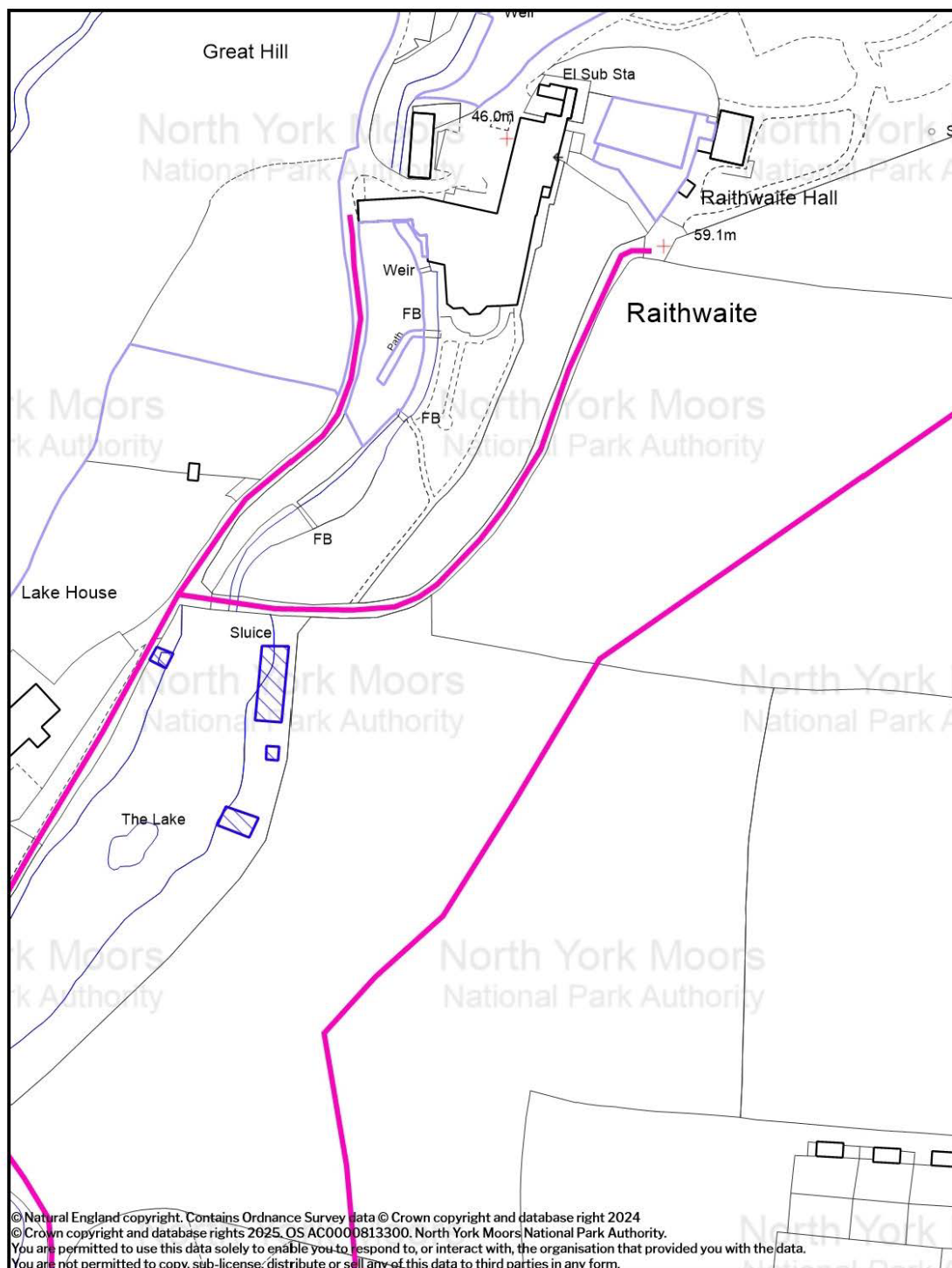


Photo showing lake with existing jetties to be replaced with sauna pods



Consultation responses

Parish

No objections to the seating, we do feel the sauna pods are not in keeping with the area. We would also like to point out the wildlife here, and have considerations been taken to ensure no wildlife will be affected? We do feel the site is being overdeveloped and would ask that you liaise with North Yorkshire Council who also submit plannings for this site for current, ongoing and future works.

Ramblers

No objections

Forestry Commission

No comments received

Third party responses

None received

Consultation expiry

20 December 2024

Background

Raithwaite Hall Hotel comprises a hotel and spa with associated parking, gardens and landscaping on land at Raithwaite Estate, near to Sandsend. The overall development lies on both sides of the boundary of the National Park and North Yorkshire Council. The majority of the hotel development is within the National Park, with the northern extension and conversion of the existing outbuilding opposite, along with the associated car parking being under North Yorkshire Council's jurisdiction.

The entrance to the Estate is off the A174 Sandsend to Whitby Road, which fronts the Coast. A new café building is being constructed here at present, which is part of the hotel development. It is located one mile from Sandsend Village and two miles from Whitby. The Estate is situated within a mature deep wooded valley and is generally secluded from wider public views due to the valley location and the local topography. There is no through road to anything else other than the Estate owned land from the A174.

In July 2018 planning permission was granted by Scarborough Borough Council on the main part of the Estate for the erection of 71 cottages, eighty-two apartments and 37 lodges for holiday use, a new restaurant, café and shop, additional car parking, roads and an extension to the footpath network including landscaping and ancillary works. The site represents a significant tourism asset for the wider Whitby locality.

In 2020, this was amended, to include siting of three single storey lodges to provide five woodland rooms ancillary to the existing Hotel, positioned as two pairs of two rooms and a single lodge. The scheme was reduced in numbers during negotiations in response to consultation feedback from the Parish Council, North York Moors woodland and ecology officers.

This application seeks permission to enhance the existing spa provision by providing outdoor spa and wellness facilities, through the installation of two sauna pods and a seating deck with a pergola, replacing two existing derelict jetties.

The proposed site is located to the South of Raithwaite Hotel's main ornamental gardens, in an undulating valley created by Newholme Beck. The beck has historically been dammed off towards the north to create a lake.

Paths have been developed around the lake, with an existing timber footbridge to its southern extent to form a walking loop, with jetties on each of the eastern and western embankments.

In support of the application, it is stated that: -

The enhancements are designed to provide a relaxing and immersive experience, while minimizing environmental impact by utilizing existing clearings between trees.

Planting around the lake generally consists of non-native ornamental species such as rhododendron which has overtime become overgrown and starve the banks of their ecological potential.

The above culminates in a pleasant environment which provides a sense of enclosure and tranquil seclusion, though in a landscape which has clearly been designed through historic human intervention.

Main issues

Local Plan

Strategic Policy J - Tourism and Recreation - 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.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity - seeks to ensure the conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park is given great weight in decision making.

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 and design details that reflect architectural character and form of the original building or the local vernacular; 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, sustainable design and construction techniques are incorporated; 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.

Policy UE1 (Location of Tourism and Recreation Development) seeks to permit recreation development where it is located in Helmsley or within the main built-up area of one of the villages; or in Open Countryside where it involves a small-scale conversion and/or extension of an existing building of architectural or historic interest, or where it complies with Policy UE2. In exceptional circumstances new build development may be permitted in the Open Countryside where: a) The proposal is for the expansion or diversification of an existing tourism or recreation business; b) The proposed development is functionally dependent and subservient in scale to the existing business; and c) It has been demonstrated that the proposed development cannot be accommodated in an existing building.

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.

Material considerations

Siting and design

The proposed sauna pods would be of lightweight timber clad construction sat on timber decking, so easily removed in the future.

The design is contemporary and due to woodland edge screening, would not be seen in the context of the main hotel building. The timber cladding would further reduce their visibility in this wider setting against the backdrop of the lake and woodland.

The sauna pods would be sited at the lower edge of the valley side and would not be visible from outside the Raithwaite Estate.

Whilst the Parish Council have expressed concerns regarding the design of the structures, it is not considered they would be harmful to the character of the locality.

Character of area, activity levels and infrastructure

The site is within the grounds of the Raithwaite Hotel, which is a substantial commercial hotel business with significant ancillary developments within its grounds. It is not considered that the provision of lakeside sauna facilities would result in a noticeable increase in activity levels and would not put unnecessary pressure on existing infrastructure or result in overdevelopment of the existing business.

Tourism

The proposals would add to the existing range of facilities provided on the Raithwaite Estate and would meet the aims and objectives of Strategic Policy J of the Local Plan, without any detrimental to the character of the locality.

Dark night skies and ecology

The site is in close proximity to the main hotel building and existing ancillary accommodation adjacent to the lake, and it is considered that as the number and type of any external lighting can be controlled by condition to ensure that light pollution is minimised, it is not considered that unacceptable light pollution would result.

Neither the Authority's Ecology Team nor Dark Night Skys Officer have any objections to the proposals.

Conclusion

Having regard to the hotel setting, the proposed development is considered to be in accordance with the Local Plan 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(s) 4 and 5 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 4 of the Management Plan which seeks to place that lifts the nation's health and wellbeing and encourage visitors to make a positive contribution to the National Park.

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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

North York Moors National Park Authority

Plans list item 5, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0588

Development description: Construction of first floor side extension

Site address: 6 The Old Stubble, Staithes

Parish: Hinderwell

Case officer: Miss Lucy Gibson

Applicant: Home from Yorkshire Ltd, fao: Mr M Smith, Windrush, Strensall, York,
YO32 5XQ

Agent: The Planning & Design Associates, fao: Mr Simon Denison, The Chicory Barn,
Moor Lane, Stamford Bridge, York, YO41 1HU,

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: Document Description Document No. Date Received Location Plan UPL-479-18-02 Rev A 26 September 2024 Amended Elevation and Site Plans UPL-479-18-01 Rev A 28 October 2024
3	MC00	The accommodation hereby permitted shall not be occupied until the 2 no. parking spaces as proposed under application NYM/2024/0589 are made available for this use.
4	GPMT02	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

Condition number	Condition code	Condition text
		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.
5	GPMT26	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.

Informative(s)

Informative number	Informative code	Informative text
1	MC INF02	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or on the ground stability web site.
2	MC INF09	Please note that the footpath/track situated adjacent to the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.

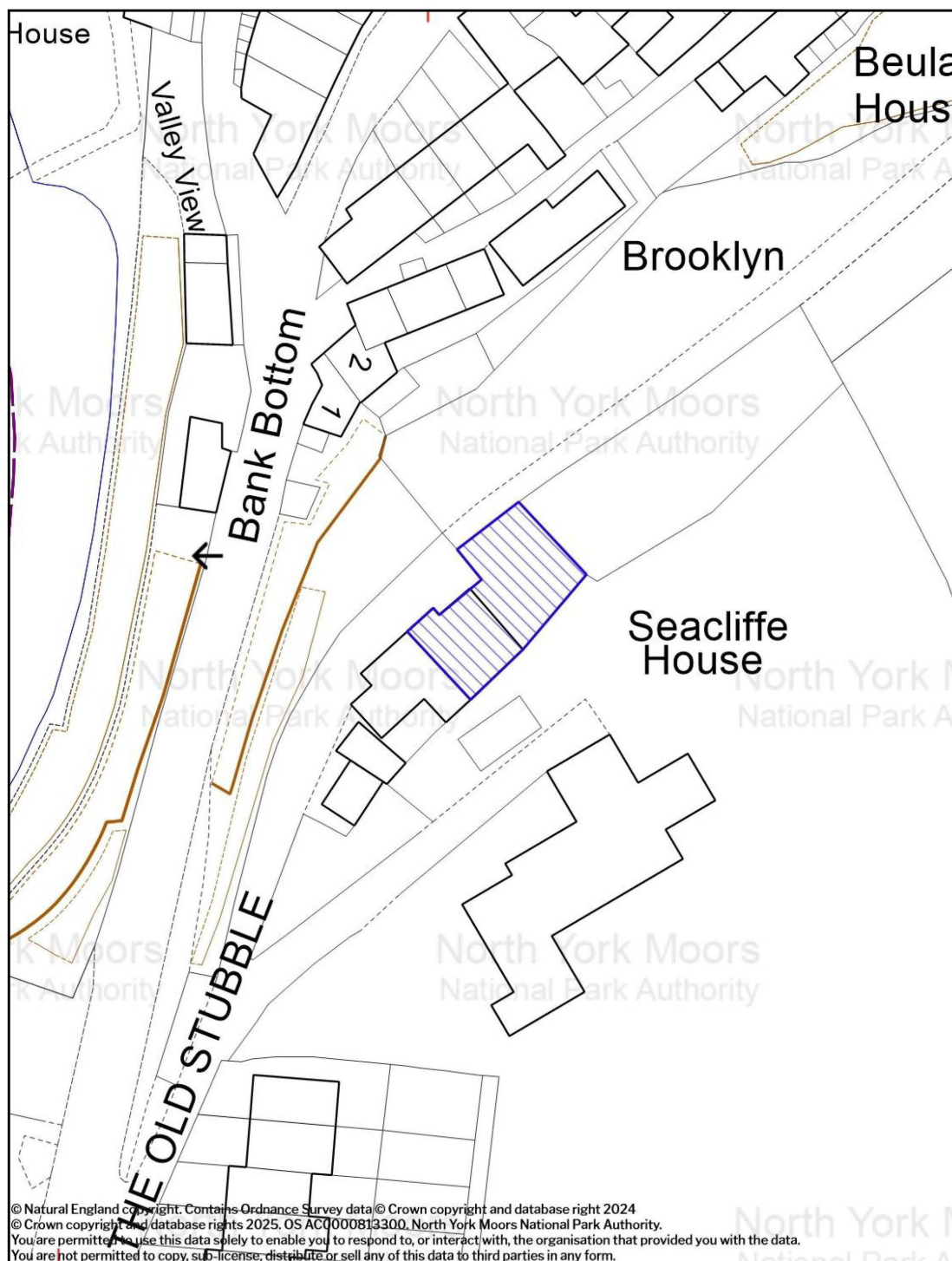
Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0588

Scale: 1:500



This photograph shows the side and rear elevations of 6 The Old Stubble and the attached dwelling, 5 The Old Stubble. The proposed first floor extension would be sited on this side elevation.



This shows the side (north) elevation and the adjacent track and Public Right of Way.



This photograph looks towards the north and shows the neighbouring property 5 The Old Stubble.



Consultation responses

Parish

Hinderwell Parish Council objects to this application. We believe it is over-development of the site. Its prominent location at the top of the village will not enhance the property or the village. Access along the front of the property is a public footpath and not designed to take traffic and any increased traffic will pose a problem for pedestrians.

Highways

This recommendation supersedes the Local Highway Authority (LHA) recommendation dated 26th Sept 2024

On the condition that the two garaged car parking areas shown on the application NYM/2024/0588 are approved and the single existing parking space remain available for this property, there are no local highway authority objections to the proposed development.

Concerns have been raised about the stability of the ground between the access to The Old Stubble and Staithes Lane, but it should be noted that the LHA have carried out stabilisation works to this area.

Third party responses

H. and I Hurford of 5 The Old Stubble, Staithes

We agree that the latest plans address the risk of loss of light to our property. They do not however address the 'change of use' issue.

Letting a perfectly suitable family home being converted into a holiday let where there are already appx 30 holiday lets for sale in the village directly conflicts with the Park's published objectives. We refer to Outcome 6 in North York Moors Management Plan: Management Plan 2022 The only party benefiting from this conversion is the company Home from Home Yorkshire Ltd ("Company"). The Company is registered in Staines Upon Thames in Surrey and the property will be part of a multi-million-pound portfolio owned by two shareholders.

The development does not create any well-paid job opportunities that would benefit local people. It only further diminishes the Park's chance of attracting more people to come and live in the village. No 6 is one of the few historic properties which is actually suitable for modern family life. However, the proposed plans are not suitable for family living.

We also have concerns about the garage not being used by occupants of No 6 and instead being let to visitors of the Company's other property in the village, it is currently being used for Toffee Crackle House as shown in the enclosed photo.

The building work must not impact our ability to access our property and garage. The noise levels need to be controlled.

We request that any damp treatment on the party wall between No 6 and No 5 is done only after residents of No 5 have been given an opportunity to treat their side of the party wall at the same time. Grass verges and rose bushes in front the cottages not to be damaged by workmen and their vehicles.

C and E. Wilson of The Nook, High Street, Staithes

The company who wishes to convert this home into a short-term holiday let has no interest in the history or character of Staithes. this company purchased "Toffee crackle house" and the first thing they wanted to do was demolish the porch which the house was famed for.

I am a resident of Staithes and am objecting to the planning application to change a perfectly good family dwelling into another holiday let, we have enough holiday cottages in this village. What we need is reasonably priced houses for families to buy and live in. More holiday let's mean more visitors of which a majority do not appreciate the fact people live in this village and treat it like a centre park by the sea.

S. Cook of 66 Staithes Lane, Staithes

My objections to this application are as follows -

- This is the proposed creation of yet another holiday let when this property would be better as a residential family home, situated at the top of the bank, with parking, amongst other permanently occupied homes.
- There would be an increase in vehicular traffic along what is not much wider than a footpath causing potential problems with pedestrians on a popular path into the village.
- This proposal is an unsuitable over development of a prominent site to the detriment of the adjoining neighbours.

P. Manship of 4, Dalehouse, Staithes

Strongly object for the following reasons, as summarised:

- Concerns regarding the land ownership and development boundary and the use of the PRow for further vehicular traffic, which could cause safety and access issues as it is very restricted.
- The use of the property as a holiday let.
- Concerns that there would be harm in terms of noise and activity to the neighbourhood, especially the occupants of No. 5.

P. Hart of 74 Staithes Lane, Staithes

My objection as a regular user of the Old Stubble Path is the danger from the increase in traffic on a non- regulated path, that provides safe passage to and from the lower village, in the short, medium and long term.

Consultation expiry

10 October 2024

Background

6 The Old Stubble is a semi-detached dwelling located in a prominent elevated position on the southern edge of the Staithes Conservation Area, but outside of the Article 4 (2) Direction area boundary. The pair of dwellings are somewhat traditional in their construction; however, they have been subject to a number of unsympathetic alterations such as a large rear extension and side extensions. The property is accessed by a track, which also forms a Public Right of Way (PRoW). From this PRoW are long distance views over Staithes and the coastline.

The property is currently used as 2 no. separate apartments, with access to the first-floor apartment to the rear of the building. To the south of the dwelling is a detached garage, which is under the same ownership as 6 The Stubble.

As originally submitted, the scheme sought planning permission for the construction of a rear and side first floor extensions. However, concerns were raised regarding the overdevelopment of the site and a loss of light and overbearing impact for the neighbouring occupiers. As such, amended plans were sought.

As amended, this scheme seeks planning permission for the construction of a first-floor side extension.

This application has been brought forward for the Member's consideration due to the number of objections, including a Parish objection to the scheme.

Main issues

Local Plan

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 should 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.

Policy C017 states that development within the domestic curtilage of dwellings should only be permitted 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 policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

In the case of extensions and alterations to the existing dwelling, any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; the design and detailing should complement the architectural form and character of the original dwelling.

Strategic Policy I 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 ENV11 seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park.

Discussion

Land ownership

It was brought to the Authority's attention that the proposed development area may be partially sited within the boundary neighbouring occupiers and outside of the applicant's ownership. The Authority has taken steps to ensure that the applicant has completed and served the correct Certificate of Ownership based on the Land Registry Title Plans and from the evidence submitted, it does not appear that the development site would fall within neighbouring land. The Authority is satisfied that these procedural matters have been completed correctly.

Use

The proposed works would comprise a first-floor side extension. The applicant has outlined that the building would also be used as a four-bedroom holiday letting unit.

A number of third-party comments and the Parish Council comments have cited objections to the use of the dwelling as a holiday letting unit. However, the use of the whole dwelling as a holiday letting unit does not comprise a material change of use under the current relevant legislation and as such, these concerns have been given very limited weight in this recommendation.

Members will be aware of potential future changes to legislation to separate Use Class C3 dwellings and short term lets, the latter to a new Use Class C5 but that legislation may or may not be enacted and in any case would need to be brought into operation through the use of Article 4 Directions.

Design

The scheme involves the removal of the existing white render from the whole property to show the traditional brick construction, and as such, the proposed extension would be constructed from brick to match with a lean- to slate roof. The proposed extension would be well detailed with water tabling and to match. It would also be stepped down from the eaves of the dwelling and stepped in from the front elevation.

It would appear that the dwelling, along with the neighbouring dwelling, have already been extended far beyond the 30% limit to the increase in total habitable floorspace, as set by Policy CO17. However, a review of historic maps shows that historically, there were structures to the side and rear of the property that are of a similar size as the existing. Whilst evidence has not been submitted to show if the existing structures are the same ones highlighted in the historic maps, a pragmatic approach has been taken in relation to the provision of a further extension.

The amended plans show a scheme that has significantly reduced the scale and massing of the proposed development and in consideration of the existing large two storey extension to the neighbouring property and the design and detailing of the proposed extension, it is considered that on balance, the construction of a modest first floor side extension as proposed would not result in unacceptable harm to the character and appearance of the dwelling or wider locality. As such, it is not considered that the amended works would be contrary to the principles of Policy CO17 of the NYM Local Plan.

The Authority's Building Conservation Officer also considers that the amended proposal would still result in some harm to the significance of the wider Conservation Area. However, given the existing arrangement at the site, this harm is considered to be limited and would not provide sufficient weight to justify a refusal of the scheme.

Highways

Comments citing concerns have been received from the parish and third parties regarding the use of the PRow for vehicular traffic and the intensification of this use. However, the Local Highways Authority have outlined that provided three parking spaces are available for the sole use of 6 The Stubble, there are no objections to the scheme. Therefore, it has been conditioned the 2 no. parking spaces in the double garage proposed under NYM/2024/0589 should be made available before 6 The Old Stubble is occupied and that they are maintained for sole use by the occupants of the dwelling.

Summary

In summary, it is considered that the proposed scheme, on balance and in consideration of the material factors, would not be contrary to the general principles outlined in SPC, SPI, Policy CO17 and ENV11 of the NYM Local Plan and as such, 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

Not applicable.

Contribution to Management Plan objectives

Approval is considered likely to help meet Outcome 6 which seeks to conserve and enhance the National Park as a place of great beauty.

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 removal of the first-floor rear extension, so as to deliver sustainable development.

North York Moors National Park Authority

Plans list item 6, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0589

Development description: Demolition of existing garage and construction of double garage

Site address: garage to the south of 5 & 6 The Old Stubble, Staithes

Parish: Hinderwell

Case officer: Miss Lucy Gibson

Applicant: Home From Home Yorkshire Ltd, fao: Mr M Smith, Windrush, Strensall, York, YO32 5XQ

Agent: The Planning & Design Associates, fao: Mr Simon Denison, The Chicory Barn, Moor Lane, Stamford Bridge, York, YO41 1HU

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text						
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.						
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table><tr><td>Document Description</td><td>Document No.</td><td>Date Received</td></tr><tr><td>Amended Plans</td><td>UPL-479-18-03 Rev B</td><td>10 January 2025</td></tr></table>	Document Description	Document No.	Date Received	Amended Plans	UPL-479-18-03 Rev B	10 January 2025
Document Description	Document No.	Date Received						
Amended Plans	UPL-479-18-03 Rev B	10 January 2025						
3	MC00	Before the commencement of development which, for the avoidance of doubt shall be taken to include any demolition or construction activity, a Dust Control Scheme shall be submitted to and approved in writing by the Local Planning Authority. No demolition or construction shall take place except in complete accordance with the approved Scheme unless otherwise submitted to and agreed in writing with the Local Planning Authority.						

Condition number	Condition code	Condition text
4	UOR03	The development hereby permitted shall be used for domestic storage 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 building hereby permitted to any form of permanent residential or holiday letting accommodation. Any such use or alteration will require a separate grant of planning permission from the Local Planning Authority.
5	BCMT09	No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall door 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.
6	GPMT09	No work shall commence on the installation of any door in the development hereby approved until details of the proposed external door colour finish has been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity.
7	GPMT06	The external elevations of the garage hereby approved shall, within three months of first being brought into use, be rendered in an off-white or cream render and shall thereafter be so maintained.
8	GPMT26	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.
9	BCMT01	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.

Condition number	Condition code	Condition text
10	AC21	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.
11	MC00	No development, including demolition and/or construction works shall take place outside 08.00 hours to 18.00 hours Mondays to Fridays; 08.00 hours to 13.00 hours on Saturdays or at any time on Sundays or Bank Holidays. Any variation to the hours of operation shall be submitted to and agreed in writing by the Local Planning Authority prior to any agreed change being implemented.
12	MC00	No deliveries shall be taken at or despatched from the site outside 08.00 hours to 18.00 hours Mondays to Fridays; 08.00 hours to 13.00 hours on Saturdays or at any time on Sundays or Bank Holidays. Any variation to the hours of operation shall be submitted to and agreed in writing by the Local Planning Authority prior to any agreed change being implemented.
13	MC00	The 2 no. parking spaces in the garage hereby approved shall only be used by the occupants of 6 The Old Stubble.

Informative(s)

Informative number	Informative code	Informative text
1	MC INF09	Please note that the footpath/track situated adjacent to the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.
2	MC INF02	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should

Informative number	Informative code	Informative text
		be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or on the ground stability web site.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0589

Scale: 1:500



This shows the Public Right of Way along The Old Stubble and the garage, which is proposed to be demolished, adjacent to 5 and 6 The Stubble.



This shows a view looking towards the northeast from Staithes Lane, where 5 The Stubble and the adjacent garage is somewhat visible.



Consultation responses

Parish

Hinderwell Parish Council objects to this application. We believe it is over-development of the site. Its prominent location at the top of the village will not enhance the property or the village. Access along the front of the property is a public footpath and not designed to take traffic and any increased traffic will pose a problem for pedestrians.

Highways

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority (LHA) has taken into account the following matters:

The vehicular access from the maintainable highway at public expense (MH@PE) to the application site is via a Public Right of Way footway. The LHA would expect the Public Right of Way authority to comment upon whether this is suitable and whether the users of the proposals would have authority to drive across this land.

It is the policy of North Yorkshire Council as Highway Authority that “any street which is being developed to provide principal means of access to six or more properties should be capable of being laid out to the minimum standards such that once constructed it can be adopted as a highway maintainable at the public expense.” For the avoidance of doubt the number of dwellings should be counted as the total number taking vehicular access from the drive. Without any evidence saying otherwise, it is understood that there are already three dwellings with vehicular access across the footpath.

The LHA was concerned whether the proposed parking areas in the garages would allow adequate turning area to manoeuvre in and out of the garages, especially as the front of the garage is being moved forward and the doors are narrower than the existing. A plan demonstrating that there is adequate turning space available has been provided which is based on ordnance survey data.

Consequently, there are no Local Highway Authority objections to the proposals.

Environmental Health

Recommended conditions (as applied). With regards to the holiday let above the garage, holiday lets and similar styled very short-term rentals like short let serviced apartments, do have the potential to be noisy and disruptive given that it may be occupied by many different groups on holiday or short breaks. We treat all holiday lets and similar type premises as commercial operations and require landlords to have the same duty of care as to be expected at hotels and bed and breakfast establishments even if the landlord is absent on site.

I have no further comments to make from a Regulatory Services – Environmental Health perspective.

Yorkshire Water

No comments received

Third party responses

P. Manship of 4, Dalehouse, Staithes

Strongly object for the following reasons, as summarised:

Concerns regarding the land ownership and development boundary and the use of the PRow for further vehicular traffic, which could cause safety and access issues as it is very restricted.

Concerns that there would be harm in terms of noise and activity to the neighbourhood, especially the occupants of No. 5.

T. and I. Hurford of 5 The Stubble, Staithes

Object for the following reasons, as summarised:

During the construction works, we cannot be prevented from accessing our garage (including the parking space in front of it) and/or the property (No 5) itself.

We also have concerns about the garage not being used by occupants of No 6 and instead being let to visitors of the Company's other property in the village, it is currently being used for Toffee Crackle House as shown in the enclosed photo. There is not enough parking space for a holiday home suitable for eight people at No. 6 without the use of the garage, and the visitors of No6 will inevitably either park in front of our house or block the footpath for other people. As such, if the change of use was approved by the Park, we would request that this garage would solely be used for providing adequate parking to No.6 The Old Stubble, and not other properties in the village.

The Historic Environment Record has not been consulted as part of the supporting statement submitted, contrary to The Authority's relevant policies.

The dwellings and PRow (The Old Stubble) are located within the Staithes Conservation Area and contribute to the historic value of the locality.

The proposed garage would impact views into the Conservation Area and would not appear ancillary to the host dwelling, the scale and massing is too large for the plot. Garages with accommodation above are not typical of the locality.

The proposed development will result in less than substantial harm to the significance of Staithes Conservation Area, a designated heritage asset. The harm has not been justified and is not offset by any perceived public benefit. The proposal is therefore contrary to policy ENV11 of the North York Moors National Park Authority Local Plan and in line with the policies set out in Chapter 16 of the NPPF should be respectfully refused on that basis alone.

In conclusion, it should be recognised that the proposed development would harm not only a designated heritage asset, but it would also lead to nuisance to neighbouring properties and increase risk to users of the footpath, where at the same time there is no public benefit from the scheme.

C. and E. Wilson of The Nook, High Street, Staithes

Object – to the provision of a holiday letting unit. The site will also be visible from the road.

S. Wilson of 66 Staithes Lane, Staithes

My objections to this application are as follows -

- This is an unsuitable and inappropriate development of this site, creating yet another holiday let in a solely residential part of the village.
- Access is over a footpath and an increase in traffic unfamiliar with the area would cause a danger to pedestrians on a path that currently has very few vehicles on it.

P. Hart of 74 Staithes Lane, Staithes

My objection as regular users of the Old Stubble footpath is the danger from the increase in traffic, that this development would bring, on a non-regulated path, that provides safe passage to and from the lower village, in the short, medium, and long term.

Consultation expiry

10 October 2024

Background

6 The Stubble is a semi-detached dwelling located in a prominent elevated position on the southern edge of the Staithes Conservation Area, but outside of the Article 4 (2) Direction area boundary. The pair of dwellings are somewhat traditional in their construction; however, they have been subject to a number of unsympathetic alterations such as a large rear extension and side extensions. The property is accessed by a track, which also forms a Public Right of Way (PRoW). From this PRoW are long distance views over Staithes and the coastline.

6 The Stubble is currently used as 2 no. separate apartments, with access to the 1st floor apartment to the rear of the building. To the south of the dwelling is a detached garage, which is under the same ownership at 6 The Stubble.

As originally submitted, this application sought planning permission for the demolition of the existing garage and the construction of a replacement one and a half storey detached garage with holiday accommodation above. There were concerns regarding the overall scale and massing of the proposed structure, alongside harm to neighbouring amenity. Therefore, amended plans were sought.

This application now seeks planning permission for the demolition of the existing garage and construction of a detached single storey double garage. The first-floor holiday letting unit has now been omitted from the scheme.

This application has been brought forward for the Member's consideration due to the number of objections, including a parish objection to the scheme.

Main issues

Local Plan

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 should 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.

Policy CO17 states that development within the domestic curtilage of dwellings should only be permitted 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 policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

Strategic Policy I 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 ENV11 seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park.

Discussion

Land ownership

It was brought to the Authority's attention that part of the proposed development area may be sited within the boundary of the land of the neighbouring occupiers, outside of the applicant's ownership.

The Authority has taken steps to ensure that the applicant has completed and served the correct Certificate of Ownership based on the Land Registry Title Plans and from the evidence submitted, it does not appear that the development site would fall within neighbouring land. The Authority are therefore satisfied that these procedural matters have been completed correctly.

Design

The existing garage is of a modern construction with concrete render and mono pitched roof with profile sheet cladding. It is currently used as a store and can only accommodate one small car. Given the condition and construction of the structure, it is considered to detract from the character and appearance of the Staithes Conservation Area and wider locality.

The proposed garage, in its amended form, would measure approximately 7m x 5.5m with a height of 4.2m to the eaves. It would be constructed from block with an off-white render finish, dual pitched clay pantile roof, parapet gables and coping stones with 2 no. side hung timber boarded doors. The proposed garage would accommodate 2 no. vehicles.

There are a number of third-party objections regarding the scale of the proposed replacement structure and the provision of a holiday letting unit, which could harm neighbouring amenities. This holiday letting unit has been omitted from the scheme and the scale has been significantly reduced from the original proposal.

Whilst the proposed replacement garage would be of a slightly larger size than the existing, it would be of a more traditional design and appearance, resulting in an enhancement to the existing arrangement. The garage would also sit well below the height of the adjacent properties. Therefore, the overall scale and design would appear subservient to the adjacent dwellings and would not result in harm to the appearance of the locality or Conservation Area. The Authority's Building Conservation Officer also has no objections to the amended proposal.

Highways

A number of third parties, neighbours and the local Parish Council have objected to the scheme on grounds of increasing traffic in the area and potential harm to pedestrians using the PRow.

A plan showing the turning points and vehicular access to the garage was submitted for the Local Highways Authority's consideration, following which, the Local Highways Authority outlined that they have no objections to the scheme. The track is already clearly used for vehicular traffic, and it is considered that the provision of a double garage may improve the parking provision at the site. A condition has also been applied to ensure that the 2 no. parking spaces in the garage are solely used by the occupants of 6 The Old Stubble.

In the interest of mitigating any harm to neighbouring amenities, conditions restricting construction times, in line with the Environmental Health Officer's recommendations, have been applied. An informative has also been applied to ensure that the PRow and track remain open and unobstructed at all times.

Summary

In summary, it is considered that the proposed replacement garage would result in an overall enhancement to the character and appearance of the site and the surrounding locality and Conservation Area. Despite the objections raised by the neighbours, third parties and Parsh Council, it is not considered that the scheme would result in harm to neighbouring amenities or pedestrians, given the Local Highways Authority's response.

Therefore, the scheme is considered to comply with SPC, Policy C017, Policy ENV11 of the Authority's Local Plan and as such, 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 3 is a pre-commencement condition and has been agreed in writing with the applicant/agent.

Contribution to Management Plan objectives

Approval is considered likely to help meet Outcome 6 which seeks to conserve and enhance the National Park as 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 removal of the holiday letting unit and an overall reduction in the scale of the development, so as to deliver sustainable development.

North York Moors National Park Authority

Plans list item 7, Planning Committee report 06 February 2025

Application reference number: NYM/2024/0824

Development description: variation of condition 3 of planning approval NYM/2021/0749/FL (allowed on appeal) to allow a stone base and render finish to extension

Site address: Newton House, Roseberry Lane, Newton under Roseberry

Parish: Guisborough

Case officer: Gemma Brown

Applicant: Mr and Mrs Wheater, Newton House, Roseberry Lane, Newton under Roseberry, TS9 6QR

Agent: Total Planning Solutions (UK) Ltd fao: Mr Fahim Farooqui, 5 Roman Terrace, Linthorpe, Middlesbrough, TS5 5QF

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.
2	PL02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.

Informative(s)

Informative number	Informative code	Informative text
1	MC INF02	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which

Informative number	Informative code	Informative text
		disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or on the ground stability web site.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0825

Scale: 1:1250

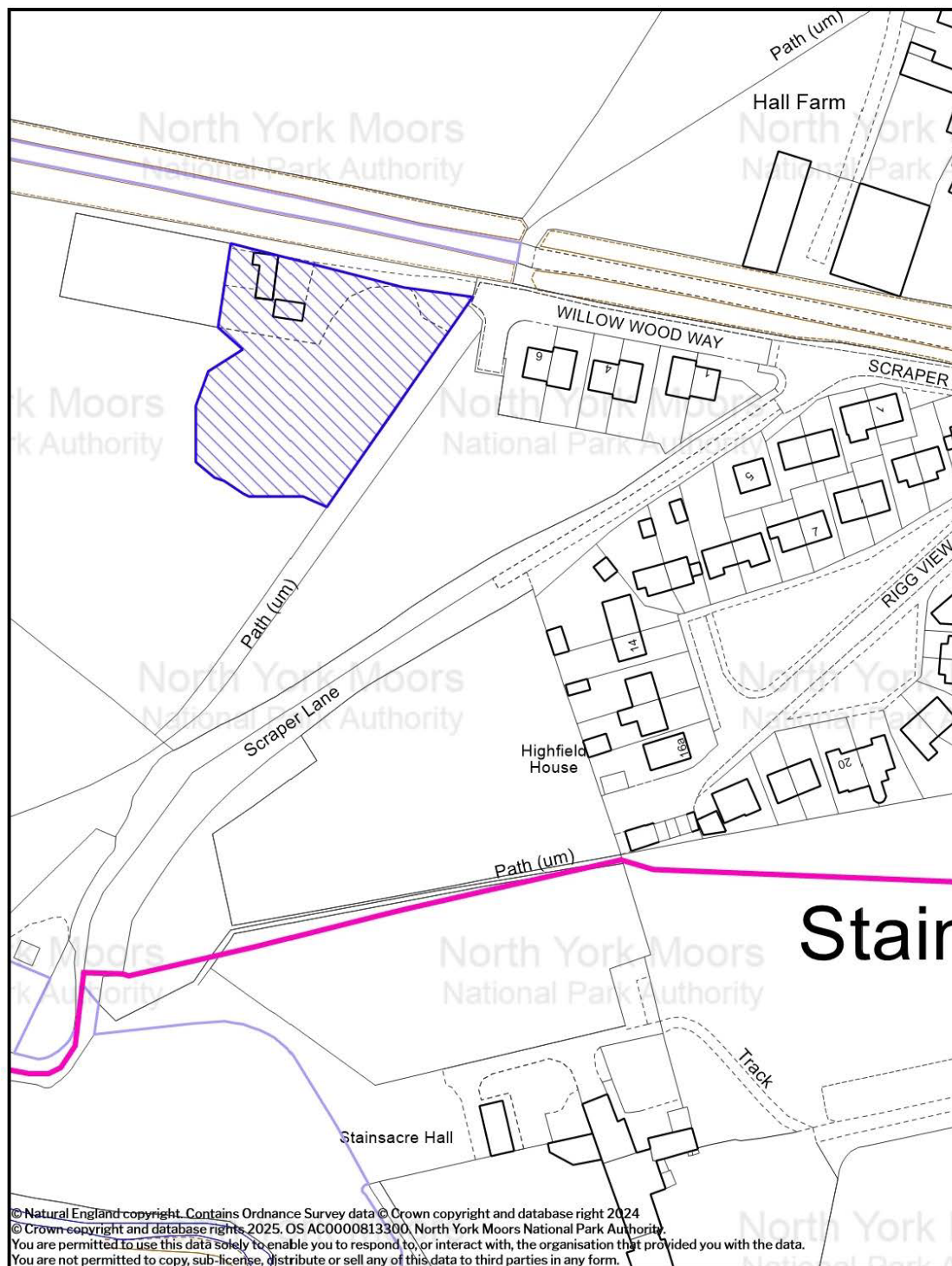


Photo the front elevation of Newton House, extension is currently being built:



Photo showing the detached garage, render of the extension is to match the garage:



Consultation responses

Parish

Objects on the basis that the proposal fails to respect the architectural form and character of the host building and that the original condition was necessary to comply with Policy C017.

Third party responses

None received.

Consultation expiry

24 January 2025

Background

Newton House is located at the southern end of Newton under Roseberry village. The property is set well back from the road and lies adjacent to the footpath and bridleway that gives access to Roseberry Topping. The National Park car park, which is well used, lies adjacent to the application site.

Planning permission was granted in 2016 to refurbish and extend the property; however, the 2016 permission was not implemented and in 2019 permission was granted for the construction of a replacement 4-bed dwelling on the site, with a detached timber clad brick double garage and associated landscaping works. The new dwelling is set in line with the adjacent cottages, with a more traditionally designed front elevation and a more contemporary rear elevation with substantial glazing.

A non-material amendment was sought in 2021 to change the oak timber cladding on the garage to a Weberpral Monocouche Ivory render to match the stonework.

Planning permission was granted on appeal in July 2022 (NYM/2021/0749/FL) to construct a single storey side extension to provide a games room. Condition 3 of the appeal decision stated that the materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

This application seeks variation of condition 3 of planning approval NYM/2021/0749/FL (allowed on appeal) to allow a stone base and render finish to the extension.

The construction of the side extension has been implemented, but not yet completed.

This application is referred to Committee as an objection has been received from Guisborough Parish Council raising concern that the proposal fails to respect the architectural form and character of the host building.

Main issues

Local Plan

The most relevant policies of the North York Moors Local Plan 2020 to consider with this application are **Strategic Policy C (Quality and Design of Development)** and **Policy CO17 (Householder Development)**.

Strategic Policy C 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, construction and finish that reflects the architectural character and form of the original building or local vernacular. Proposals should include a well-considered siting, orientation, layout, and density that complements existing buildings with a scale, height, massing, and form that is compatible with surrounding buildings with no adverse impact upon the amenities of adjoining occupiers. Applicants are encouraged to submit a sustainable design with good quality landscaping, biodiversity, adequate storage, cycling facilities and car parking.

Policy CO17 states that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will be permitted where among other things, the form, position, and design of the new development does not detract from the character of the original dwelling or its setting in the landscape.

Material Considerations

Whilst the use of render is not generally encouraged in the National Park, in this case, given the modern appearance of the property, it is considered the use of an ivory render would not detract from the character or form of the dwelling or its setting in the landscape.

Additionally, the materials proposed will match those used on the detached garage, consisting of Weberpral Monocouche Ivory render, sandstone face base and Welsh slate roof tiles.

Conclusion

In summary, despite the Parish Council objection, concerning the proposal failing to respect the architectural form and character of the host building, it is not anticipated that the proposed works would result in unacceptable harm to the appearance, character and built form of the locality.

In the view of above, it is considered the proposed development meets the aims of Strategic Policy C and Policy CO17 and therefore, 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

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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.