

Agenda

Meeting: Planning Committee

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

Date: Thursday 27 March 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 6 February 2025
5. Public minutes of the site visit minute held on Friday 14 March 2025
6. Public question time (an opportunity for members of the public to ask questions)
7. Members are reminded that it is their responsibility to declare the nature of any personal, prejudicial and/or disclosable interests relating to any agenda item immediately prior to its consideration and are encouraged to complete a written declaration using the form provided.
8. Miscellaneous items
 - a) Ongoing planning and enforcement appeals
 - b) Determined planning and enforcement appeals
 - c) Planning applications determined by the Director of Planning
 - d) List of enforcement matters determined by the Director of Planning
9. To consider applications, together with the Director of Planning recommendations thereon:-

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

Plans List Item Number	Application Reference	Development description and site address
		four apartments with associated parking/garages and amenity space, conversion of engine shed building into two principal residence dwellings and landscaping works at West Ayton Highways Depot, Garth End Road, West Ayton
2	<u>NYM/2019/0832/FL</u>	Proposed repairs to roads and tracks and creation of new tracks for agricultural and forestry purposes (part retrospective) at land at Newgate Farm, Hackness

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

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

Chris France
Director of Planning

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

Note:

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

- Judith Seaton should be notified of any apologies.
- This agenda and application documentation are also available on the website www.northyorkmoors.org.uk. 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 06 February 2025, 10.00am

Present: Jim Bailey, Malcolm Bowes, Jane Harper, David Hugill, David Jeffels, Bob Marley, Paul McInnes, John McQue, Abida Nayyer, Clive Pearson, John Ritchie, Janet Waggott, Arnold Warneken, Colin Williamson

Apologies: Joy Andrews, Michelle Donohue-Moncrieff, George Jabbour, Patrick James, Heather Moorhouse, Christine Roberston,

Copies of all documents considered are in the minute book

01/2025 Livestreaming and recording

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

02/2025 Emergency evacuation procedure

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

03/2025 Minutes

That the public minutes of the meeting held on Thursday 28 November 2024, having been printed, and circulated be taken as read and be confirmed and signed by the Chair as a correct record.

04/2025 Public question time

There were no questions from members of the public.

05/2025 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.

06/2025 Miscellaneous items

Considered: The report of the Director of Planning.

Resolved: Members noted the report together with the information provided on the members update sheet as follows:

Item 7, Miscellaneous items (appeals)

1. an amendment to the appeal address of application NYM/2024/0526 referenced under the 'hearings and inquiries' section. The address should read Whin Covert, Riggs Head, Scarborough.
2. that appeal NYM/2024/0523 (Silpho Brow Farm West, Beacon Brow Road, Silpho Brow) included in the list of received appeals reported in the 28 November 2024

planning committee agenda is linked to appeal NYM/2024/0526 (Whin Covert, Riggs Head, Scarborough).

Item 7, Miscellaneous items

Members are to note that reference has been made to the inclusion of the number of planning applications determined and number of planning applications outstanding (over 13 weeks) within the miscellaneous report on the agenda front sheet which is incorrect. This is not being reported to members at this meeting.

07/2025 Reconsider the wording of Condition 5 recommended for planning application NYM/2024/0528

Considered: The report of the Development Management Team Leader

Recommendation: That Members approve the revised wording of condition 5 as recommended in paragraph 2.3.

Members were verbally updated that the condition wording proposed was in paragraph 2.5 of the report not paragraph 2.3 as stated.

Resolved: That Members approved the revised wording of condition 5 as recommended in paragraph 2.5 of the report.

08/2025 Government working paper on planning committees, revised National Planning Policy Framework and increases in planning fees

Considered: The report of the Head of Strategic Policy

Recommendation: That Members approve the response to the Government's working paper on planning committees and note changes to the National Planning Policy Framework.

Resolved: That Members noted the changes to the National Planning Policy Framework and approved the response to the Government's working paper on planning committees but with the inclusion of additional text regarding the proposed national delegation scheme. Members requested that officers stress in the response that National Park Authorities are meeting the national decision-making performance targets which indicates that planning committees are not slowing the system down; that the proposed changes will undermine the purpose of the planning system with a loss of democratic accountability and may result in inconsistent decision-making.

09/2025 Local Development Scheme

Considered: The report of the Head of Strategic Policy

Resolved: That Members noted and agreed to publish the revised Local Development Scheme 2023.

10/2025 Applications for planning permission

Plans list item 1 – Will Rogers spoke as the agent; Alan Walker spoke against the application and Councillor Sue Ogilvy spoke on behalf of the Parish Council.

Plans list item 2 – Jane Champion spoke as the applicant and Michael Turner spoke against the application.

Plans list item 3 – Deborah Fletcher spoke as the applicant and Guy Coulson spoke on behalf of the Parish Council.

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/2024/0577 - 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 two principal residence dwellings and landscaping works at West Ayton Highways Depot, Garth End Road, West Ayton

Declarations of interest: David Jeffels and Arnold Warneken declared a non-pecuniary interest in this item as members of North Yorkshire Council.

Resolved: Consideration deferred to enable a site visit to be undertaken to fully assess the potential amenity impact of the development on the amenity of neighbouring properties, with the attendance of Members being regarded as an approved duty for the purposes of the payment of Members' allowances. Members requested the attendance of Yorkshire Water at the site visit due to the drainage issues raised by local residents.

Plans list item 2

NYM/2024/0730 - 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

Resolved: Approved as recommended with the decision delegated to the Director of Planning to clear an amendment to the landscaping condition to ensure enhanced

boundary planting to the western side of the application site and with two additional conditions as set out on the members update sheet:

28, The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed.

29, There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works, details of which will have been submitted to and approved by the Local Planning Authority. If discharge to public sewer is proposed, the information shall include, but not be exclusive to:

- i. evidence that other means of surface water drainage have been properly considered and why they have been discounted; and
- ii. the means of discharging to the public sewer network at a rate to be agreed by the Local Planning Authority in consultation with the statutory sewerage undertaker.

Plans list item 3

NYM/2024/0825 - 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

A proposal to approve the application contrary to officer recommendation, with the decision delegated to the Director of Planning to clear the conditions was moved and seconded. A vote was taken on this proposal and lost.

A further proposal was put forward to refuse the application as recommended. A vote was taken on this proposal and carried.

Resolved: Refused as recommended.

Plans list item 4

NYM/2024/0544 - Removal of jetties, siting of two sauna pods on decking and proposed decked seating area with pergola at Lakeside, Raithwaite Estate, Sandsend, Whitby

Resolved: Approved as recommended.

Plans list item 5

NYM/2024/0588 - Construction of first floor side extension at 6 The Old Stubble, Staithes

Resolved: Approved as recommended.

Plans list item 6

NYM/2024/0589 - Demolition of existing garage and construction of double garage at garage to the south of 5 & 6 The Old Stubble, Staithes

Resolved: Approved as recommended. Members requested that Officers ensure through the discharge of condition 5 that the garage doors are timber vertical boarded and cannot swing out over the highway.

Plans list item 7

NYM/2024/0824 - 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

This application was withdrawn from the Planning Committee Agenda due to the Town Council clarifying that there are no objections.

11/2025 Any other business

The Director of Planning advised Members that the Authority has received a consultation from North Yorkshire Council concerning a hybrid application for a battery storage facility between Thirsk and Felixkirk, approximately 2.5km from the National Park boundary and 4.5km from the escarpment. The development will have an impact on the view however due to the limited information in the application we have been unable to make a detailed assessment of the extent of the impact on the National Park. The consultation response was due on 06 February 2025 as such the Authority's response (holding objection with a request for additional information) was reviewed by the Chief Executive Officer prior to submission to North Yorkshire Council.

North York Moors National Park Authority

Item 5, Public site visit minutes of the meeting held at West Ayton Highways Depot, Garth End Road, West Ayton on Friday 14 March 2025, 10.30am.

Present: Mr C Pearson (Chair), Mr J Ritchie (Deputy Chair), Mr J R Bailey, Mr M Bowes, Ms M Donohue-Moncrief, Mr C Williamson

Apologies: Mr J McCue, Ms H Moorhouse, Ms C Robertson, Ms J Waggott, Mr A Warneken

National Park Authority Officers: Chris France (Director of Planning), Hilary Saunders (Planning Team Leader), George Thomas (Planning Graduate Trainee)

Others: Mr W Rogers (Agent), Councillor Steve Garbutt (West Ayton Parish Council), Mr Garbutt (resident), Ms Carey Bilton (resident)

NYM/2024/0577/FL: 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 two principal residence dwellings and landscaping works.

The meeting commenced opposite the Station House where Chris France outlined the site visit process. Hilary Saunders then set out the details of the proposal, its straddling cross boundary nature and where the boundary of the two local planning authorities was. The key planning issues raised during the consultation were summarised including the sewage treatment infrastructure and Yorkshire Water response which separated existing operational matters from the impact of new development, nature of site boundary treatment, design and materials of the new housing, tenure of the housing including the element of affordable housing, the Section 106 contributions to health and education and the need to retain an element of the station platform.

The Parish Council representative set out the council's outstanding issues including the need for single storey housing opposite the Station House to enable older residents to downsize. The agent responded stating this would reduce the plot numbers on the site and significantly reduce the overall site viability. Car parking provision was also raised, though it was confirmed that the amount proposed met the Local Highway Authority standards and that they had not objected.

The proposed apartments for the Station House were also raised with residents stating its conversion to housing would be better, however, the agent confirmed that in terms of minimal internal and external change, four flats were preferable. Chris France also stated that the units were likely to be more affordable and potentially attractive to younger people. The size and tenure of the proposed affordable housing was also explained in terms of the housing need in the locality and the ratio of average incomes to house prices which resulted in the majority of the affordable housing proposed being for social rent.

The meeting then moved to the rear of Station House where the Parish Council pointed out a number of boundary trees overhanging properties and asked that they should be removed and replaced for amenity reasons. As this was part of the North Yorkshire Council site, this matter would be raised with the North Yorkshire Council tree officer by the agent.

Hilary Saunders then talked about the retention of the station platform in this area, part of which together with an associated structure had already been removed. This led to a discussion about unauthorised works and the relevance of enforcement action which was explained as not being expedient given these issues would be addressed and were covered by the live planning application.

Hilary Saunders then explained the goods shed history in relation to its potential re-use for community use but would now be converted to two principal residence dwellings. The roof would be slated using the original Welsh slate.

The meeting then walked across the site to the North Yorkshire Council end where the housing proposed for North Yorkshire Council determination was outlined which was 9 no. houses (mostly open market).

A final discussion was held at the front of the site to view the station platform where it was confirmed by the agent that it would need to be moved to accommodate attenuation tanks but would be replaced exactly in its place – which Hilary Saunders confirmed would be subject to a detailed planning condition including method statement.

There were no further questions, and the Chair closed the meeting at 11.40am.

North York Moors National Park Authority

Item 6, Public Question Time

When?

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

What?

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

How?

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

Answers to questions will normally be given by the Chair.

Exclusions?

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

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

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

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

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

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

Notice of questions should be sent to:

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

North York Moors National Park Authority

Item 8, Miscellaneous items

a) Ongoing planning and enforcement appeals. Position as of 6 March 2025

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

Reference number	Appellant's name	Development description and site address	Date appeal lodged and type	Date, time and venue for Hearings/Inquiries
NYM/2023/0719	Mr J Wood c/o Agent	Demolition of conservatory and outbuildings and construction of two storey side and rear side extension at Dilston House, The Green, Goathland	24/09/2024 Householder fast track	Not applicable
NYM/2024/0166	Mr I Graham c/o Agent	Use of land for motorhomes/ tourers with seven additional hardstanding pitches, new access and recontouring of land at Town End Farm, Whitby Road, Easington	01/10/2024 Written representations	Not applicable
NYM/2024/0523	Mr Garry Edwards	Erection of three loose boxes and adjoining tack/feed store for personal use together with change of use of building from agricultural to storage at Silpho Brow Farm West, Beacon Brow Rd, Silpho Brow.	30/10/2024 Written representations	Not applicable
NYM/2023/0771	Mr Keith Austin via Agent	Erection of five cabins for holiday letting purposes with associated access, parking and landscaping works at land at Westlands Farm, Osmotherley	06/11/2024 Written representations	Not applicable

Reference number	Appellant's name	Development description and site address	Date appeal lodged and type	Date, time and venue for Hearings/Inquiries
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	06/12/2024 Hearing	10am, 11 March 2025 at The Old Vicarage, Bondgate, Helmsley
NYM/2022/0836	Mr Dexter Pollard	Certificate of lawfulness for the existing use of farmhouse as a Bed and Breakfast (Use Class C1), use of part of field number 8325 as 20 pitch camp site and use of land adjacent to existing amenity block as five pitch camp site in excess of ten years at Beak Hill Farm, Chop Gate	20/01/2025 Written representations	Not applicable
NYM/2023/0472	Mr James Wallis	Certificate of lawfulness for use of land as garden in excess of ten years at land off Front Street, Grosmont.	28/03/2024 Written representations	Not applicable
NYM/2024/0460	SLW Properties	Outline application for construction of up to four principal residence dwellings with means of access to, but not within, the site to be considered (matters reserved: appearance, landscaping, layout and scale) (revised scheme following withdrawal of NYM/2023/0120 and dismissal at appeal of NYM/2021/0351/OU) at land west of Highfield,	26/02/2025 Written representations	Not applicable

Reference number	Appellant's name	Development description and site address	Date appeal lodged and type	Date, time and venue for Hearings/Inquiries
		Sled Gates, Fylingthorpe		
NYM/2024/0415	Rock Hopper Rentals	Listed Building consent for creation of single parking bay with electric charging point and recladding of modern extension in vertical timber boarding at St Aidans, Main Street, Carlton	25/02/2025 Written representations	Not applicable
NYM/2024/0414	Rock Hopper Rentals	Creation of single parking bay with electric charging point and recladding of modern extension in vertical timber boarding at St Aidans, Main Street, Carlton	25/02/2025 Written representations	Not applicable

Determined Appeals

(b) Determined planning and enforcement appeals for the period 21 January 2025 to 6 March 2025.

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

Reference number	Appellant's name	Development description and site address	Date appeal lodged and type	Decision
NYM/2024/0165	RH Financial Consultants Ltd c/o Agent	Creation of vehicular access and erection of gate (resubmission following withdrawal of NYM/2023/0396) at Seavegate Farm, Moor Lane, East Ayton	17/09/24 Written representations	Dismissed. Decision attached at appendix A.
NYM/2024/0184	Mr and Mrs Hutchinson	Alterations to outbuilding and garage comprising raising of roof height, installation	21/08/2024 Householder	Dismissed. Decision attached at appendix B.

Reference number	Appellant's name	Development description and site address	Date appeal lodged and type	Decision
		of windows, doors and Juliette balconies, construction of dormer windows and link extension to facilitate use as annexe accommodation (resubmission following refusal of NYM/2023/0384) at Hazel Grove, Whorl Hill, Faceby.		

(c) Applications determined by the Director of Planning

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

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

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

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

Tom Hind
Chief Executive

Chris France
Director of Planning

Background documents to this report

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

Appeal Decision

Site visit made on 4 December 2024 by J Reed MPlan

Decision by S Edwards BA MATCP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 4th March 2025

Appeal Ref: APP/W9500/W/24/3349174

Seavegate Farm, Moor Lane, East Ayton YO13 9EW

- 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 Richard Hancock, of RH Financial Consultants Ltd, against the decision of North York Moors National Park Authority.
- The application Ref is NYM24/0165.
- The development proposed is new access and gate.

Decision

1. The appeal is dismissed.

Appeal Procedure

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

Preliminary Matters

3. The revised National Planning Policy Framework (the Framework) was published on 12 December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought by the parties. I have, however, considered the appeal having regard to the revised Framework.

Main Issue

4. The main issue is whether the development makes provision for an appropriate access to the site with particular regard to the safety of users of Moor Lane.

Reasons for the Recommendation

5. The appeal site lies on Moor Lane an unclassified national speed limit road serving East Ayton and residential properties on its periphery. The Highway Authority have stated that due to the road's narrow width and twisting form the average speed would be marginally above 30 mph. As a result, the design standard that has been applied by the Highway Authority is Design Manual for Roads and Bridges (DMRB), which requires a visibility splay for vehicles travelling at up to 37mph of 90 metres by 2.4 metres. This has not been disputed by the appellant. Based on my own observations, I agree that due to the nature of the road, it is likely that the observed speed is less than 60 mph. In the absence of further evidence, such as a speed survey, I have no reasons to disagree with the visibility splays sought by the Authority.

6. The appellant has provided various plans and photos plotting how 90 metre x 2.4 metre visibility splays could be achieved in both directions from the site entrance. Drawing no. 18-04-01 shows a visibility splay of 90 metres to the south from points 'A to B'. However, this has not been plotted from the required 2.4 metre set back and instead from the edge of the highway. I observed on site that when taken from a 2.4 metre set back a 90 metre visibility splay could not be achieved due to thick dense hedging to the south.
7. I note the appellants' comments stating that this could be cut back to alleviate this issue. However, the hedging is outside of the redline boundary and I have no additional information before me that it is under the appellants' control. As a result, I cannot be certain that the level of visibility to the south would be satisfactory, and I have no other substantive evidence before me that would lead me to conclude otherwise.
8. To the north plans and photos have also been provided showing sight lines of 90 metres labelled as 'E to A'. From the information provided and my observations on site point 'E' is sloping away from the proposed access at point 'A' on a gradual bank. As a result, and in the absence of further evidence to the contrary, I am not satisfied that the required 90 metre sight line could be implemented with the required 2.4 metre set back.
9. Whilst I acknowledge that the proposed development would generate a low level of traffic the conditions of the proposal through insufficient visibility would be unsafe and therefore prejudicial to highway safety.
10. Thus, I find that the appeal scheme would harm highway safety contrary to Policy CO2 of the North York Moors Local Plan (2020) that seeks to protect highway safety.

Other Matters

11. I note the comments from the appellant referencing the safety and lack of accidents for the existing access and Moor Lane. However, no details of the current access' arrangement nor its particular circumstances have been put before me. Furthermore, the lack of data does not necessarily mean that the road is inherently safe, especially because accident data is collected by emergency services where there has been a personal injury accident. Therefore, there could have been accidents which only resulted in damage to vehicles, and that would not be recorded.
12. No concerns have been raised by the Authority regarding the effect of the development on North York Moors National Park. Having regard to the available information and my own observations, I see no reason to reach an alternative view and confirm that the proposal would conserve the natural beauty, wildlife and cultural heritage of the National Park, and would not detract from the understanding and enjoyment of the special qualities of the National Park by the public.

Conclusion and Recommendation

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

J Reed

APPEAL PLANNING OFFICER

Inspector's Decision

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

S Edwards

INSPECTOR

Appeal Decision

Site visit made on 16 December 2024

by C Harding BA (Hons) PGCert PGDip MRTPI

an Inspector appointed by the Secretary of State

Decision date: 27th January 2025

Appeal Ref: APP/W9500/D/24/3347496

Hazel Grove, Whorl Hill, Faceby TS9 7BZ

- 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 and Mrs Paul Hutchinson against the decision of North York Moors National Park Authority.
- The application Ref is NYM/2024/0184.
- The development proposed is alterations to outbuilding and garage comprising raising of roof height, installation of windows, doors and Juliette balconies, construction of dormer windows and link extension to facilitate use as annexe accommodation (resubmission following refusal of NYM/2023/0384).

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The revised National Planning Policy Framework ('the Framework') was published on 12 December 2024. I have considered the changes and as they are not material to the proposal, further comments were not sought from the parties. I have, however, determined the appeal having regard to the revised Framework, and where I have referenced paragraph numbers, they relate to the revised version.
3. As the site lies within North Yorks Moors National Park, I am mindful of the requirement to seek to further the purposes of the National Park, which includes conserving its natural beauty and cultural heritage.

Main Issues

4. The main issue is whether the proposal would be a suitable form of annexe accommodation.

Reasons

5. The appeal site relates to a pair of outbuildings located within the garden of Hazel Grove, a dwelling located within a large plot accessed by means of a narrow lane from Faceby. The existing outbuildings comprise a detached double garage and a separate single-storey building indicated on the provided plans as a "playroom". The existing dwelling at the site incorporates some two-storey elements, but largely has the character of a dormer bungalow. Despite its large garden, the existing dwelling is unassuming in character due to its size and design.
6. North York Moors National Park Authority Local Plan ('the LP') Policy CO17 states that any extended outbuilding should be proportionate in size and clearly subservient

to existing buildings, and that outbuildings should only be considered suitable for conversion where they are worthy of retention and capable of improvement.

7. The proposal would result in the two existing outbuildings being linked by a glazed feature, with the existing playroom building increased in height to provide two-storeys, with large areas of glazing proposed in the front elevation. Dormer windows would be inserted into the front and rear roofslopes of the existing double garage, which would also be increased in height.
8. At present the existing outbuildings are individually clearly subservient to the host dwelling. However, their amalgamation, even with the use of a lightweight glazed link, along with the increases in height and the inclusion of dormer windows in the existing garage, would lead to a structure of clearly larger scale and presence than the present arrangement. This would not be mitigated by the extensive use of glazing.
9. In terms of floorspace, the proposal would represent an increase over the existing situation, however I consider that the reference in LP Policy CO17 to extensions to dwellings not exceeding 30% of the existing floorspace applies to dwellings themselves, rather than outbuildings, so is not relevant in this instance. Nevertheless, even if I were to agree with the appellant that the increase in floorspace would not be substantial, this is not the only relevant factor in terms of considering the overall scale of the proposal.
10. The provided drawings indicate that the proposal would have a smaller footprint than the existing dwelling. However, the height of the proposal and the bulk that would result from its modular appearance means that it would compete with the host dwelling in terms of overall scale. Furthermore, while the bold contemporary design approach may not necessarily be harmful in itself, it would elevate the status of the proposal in comparison to the unassuming design of the host dwelling. Overall, the level of visual competition of the proposal, along with its size, means that it would not appear as proportionate in size, or clearly subservient to the host dwelling.
11. The architectural merit of the existing playroom building is limited, however the building appeared to be structurally sound at the time of my visit, and it is not currently harmful to the character and appearance of the area. I therefore conclude that its retention and conversion would not be contrary to this aspect of the policy.
12. The proposal before me is described within the description of the development as annexe accommodation. The provided plans indicate that the development would provide a “playroom/snug”, a bedroom incorporating an ensuite bathroom, and a living area, along with garaging for two vehicles. No area for cooking is indicated on the provided plans.
13. LP Policy CO18 states that residential annexes will only be permitted where they are located within the domestic curtilage and are ancillary to the main dwelling in scale, specification and use; and where a clear functional need for the accommodation is demonstrated. It also states that new build annexes should be physically attached to the main dwelling, and that all proposals should accord with LP Policy CO17.
14. Even if I were to agree with the appellant that the proposal would not amount to a separate dwelling, that there is a functional need for the accommodation, or that the proposal would accord with advice set out in the supporting text of LP Policy CO18,

as I have found above that the proposal would conflict with LP Policy CO17, it follows that the proposal would conflict with LP Policy CO18 also.

15. I therefore conclude that the proposal would not be a suitable form of annexe accommodation. It would be contrary to LP Policies CO17 and CO18, the relevant elements of which I have set out above.

Other Matters

16. It is stated that the proposal would include a number of sustainable elements including the use of recycled materials, an air source heat pump and electric vehicle charging points. These are factors which weigh in favour of the proposal, and to which I afford moderate weight. Construction in line with the Building Regulations 2023 would normally be expected and is therefore a neutral factor.
17. The proposal would involve the use of previously developed land which is supported by the Framework, however such support is not unfettered, and although this is a factor that weighs in favour of the proposal, I afford it minor weight in this instance.
18. I acknowledge that the appellant has sought to work with the authority to arrive at an acceptable scheme. However, I am required to consider the proposal before me on its own merits.
19. The appeal site is within the Impact Risk Zone of the Teesmouth and Cleveland Coast Special Protection Area ('SPA') and Ramsar sites, which are underpinned by the Teesmouth and Cleveland Coast Site of Significant Scientific Interest ('SSSI') ('the protected sites'). I understand that the protected sites are designated due to the presence of a number of coastal bird species.
20. The Conservation of Habitats and Species Regulations 2017 ('the Regulations') state that a competent authority must consider the potential effects of developments upon the qualifying features of the protected sites, through means of an appropriate assessment. In the context of this appeal, this responsibility falls to me.
21. While there is dispute between the main parties as to whether the proposal would lead to harm to the protected sites, either individually or in combination with other proposals, as I am dismissing the appeal on other grounds, it is not necessary for me to consider this matter further.

Conclusion

22. The proposal conflicts with the development plan when read as a whole and the material considerations do not indicate that the appeal should be decided other than in accordance with it. I therefore conclude that the appeal should be dismissed.

C Harding

INSPECTOR

Appendix C

List of applications determined by the Director of Planning in accordance with the scheme of delegation for the period of 21 January 2025 to 6 March 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/2024/0888

Overhead line exemption notification for installation of one terminal pole with stay wires and pole mounted substation to enable removal of overhead wires at land near Warren House Farm, Kildale for Northern Powergrid (Northeast) PLC

Decided on 27/01/2025

Application reference: NYM/2024/0862

Trees in Conservation Area works comprising of reducing height of Leyland cypress, holly, sycamore, hawthorn, and elder forming hedgerow on south boundary at The Old Vicarage, Main Road Through Carlton Village, Carlton In Cleveland for Mr Malcolm Wall.

Approved on 28/01/2025

Application reference: NYM/2024/0852

Removal of conservatory and construction of garden room extension at Tall Trees, Aireyholme Lane, Great Ayton for Mr Craig Darcy.

Approved on 30/01/2025

Application reference: NYM/2024/0692

Verification of conditions 5, 7, 8, 9, 10, 11 and 13 of planning approval NYM/2019/0688/FL and conditions 5, 7, 8, 9, 10, 11, 13 and 15 of Listed Building consent NYM/2019/0689/LB at Centre Farm, Battersby for Susan and Glyn West.

Decided on 03/02/2025

Application reference: NYM/2025/0015

Verification check of condition 4 of planning approval NYM/2023/0759 at land north-east of Espelt House, Bank Lane, Faceby for Craig Loftus.

Decided on 03/02/2025

Application reference: NYM/2024/0876

Erection of lectern supporting interpretation board at village green space located to the south west of Brackenburn, Ingleby Greenhow for Kirby, Great Broughton and Ingleby Greenhow History Group.

Approved on 12/02/2025

Application reference: NYM/2024/0864

Alterations, removal of existing flat roof extension and construction of replacement pitched roof extension with solar panels together with boundary treatment works, erection of timber shed and replacement greenhouse at Rose Cottage, Kirk Ings Lane, Nether Silton for Mr & Mrs Wilson.

Approved on 13/02/2025

Application reference: NYM/2024/0884

Verification check of condition 3 of planning approval NYM/2021/0561/LB at Forge Cottage, Nether Silton for Julian and Tahira Bouchier.

Decided on 14/02/2025

Application reference: NYM/2024/0850

Listed Building consent for installation of woodfired burner and new external flue in the coach house (Annexe) at Annexe at The Old Vicarage, 40 North End, Osmotherley for Duncan Ross Russell.

Consent Granted on 17/02/2025

Application reference: NYM/2024/0885

Alterations to garage to facilitate use as residential annexe at Hunters Hill, Moor Lane, Nether Silton for Ms Charlotte Dugdale.

Approved on 17/02/2025

Application reference: NYM/2024/0891

Construction of single storey extensions to Shoot Lodge building at Thimbleby Shooting Ground, Thimbleby for Thimbleby Shooting Ground.

Approved on 17/02/2025

Application reference: NYM/2025/0022

Trees in Conservation Area works comprising of maintaining three Poplar trees to the side of beck at Tannery Barn, Coxwold, York for Mr David Lloyd.

Approved on 18/02/2025

Application reference: NYM/2025/0062

Verification check of condition 8, 9 and 13 of planning approval NYM/2024/0083 at Pump House, 64 High Street, Swainby for Sonia Hawthorne.

Decided on 19/02/2025

Application reference: NYM/2024/0576

Construction of replacement dwelling with associated parking and landscaping works (revised scheme to NYM/2020/0136/FL) at Forest View, Pig Park, Ingleby Greenhow for Ms Michele Bianco.

Approved on 20/02/2025

Application reference: NYM/2025/0093

Verification check of condition 4 of Listed Building consent NYM/2024/0652 at Merry Hall, Boltby for Jo Broadbent.

Decided on 21/02/2025

Application reference: NYM/2025/0104

Verification check of condition 3 of Listed Building consent NYM/2024/0436 at Hambleton House, 8 West End, Osmotherley for Miss Rowena Hardy.

Decided on 21/02/2025

Application reference: NYM/2024/0655

Demolition of partially collapsed outbuilding and erection of stable block at Trenholme House Farm, Osmotherley for Ms G Tutty.

Approved on 27/02/2025

Application reference: NYM/2024/0866

Erection of tractor shed at Yorkshire Gliding Club, Sutton Bank for Yorkshire Gliding Club.

Approved on 27/02/2025

Application reference: NYM/2024/0832

Conversion of former stable building to form one Local Occupancy residence dwelling with garden together with landscaping works, removal of timber garage, provision of two parking spaces and improvement works to existing vehicular entrance at land and

building west of the B1257 (located north west of Bridge End Cottage), Chop Gate for Mr & Mrs Wood.

Approved on 28/02/2025

Application reference: NYM/2025/0122

Verification check of condition 35 of planning approval NYM/2020/0710/FL (condition 35 of varied permission NYM/2022/0050) at Swainby and Potto C of E Primary School, Claver Close, Swainby for c/o Agent.

Decided on 03/03/2025

Application reference: NYM/2025/0056

Variation of condition 2 (material amendment) of planning approval NYM/2022/0437 to allow amended position of approved garage at Burnside, Carr Lane, Kilburn for Mr & Mrs P Pennock

Approved on 04/03/2025

Application reference: NYM/2024/0854

Erection of play equipment and landscaping works at Recreation Ground adjacent Faceby Village Hall, Mill Lane, Faceby for Dr Craig Loftus.

Approved on 05/03/2025

North Yorkshire Council (Rye)

Application reference: NYM/2024/0867

Trees in Conservation Area works comprising of felling Spruce T2 and either felling Spruce group G3 or reducing in height to reduce risk of failure at Pantiles, Back Lane, Hutton Le Hole for Mr David Smith.

Approved on 28/01/2025

Application reference: NYM/2024/0887

Verification check of condition 7 of planning approval NYM/2024/0758 at Peat Rigg Outdoor Training Centre, Sutherland Lane, Cropton for Peat Rigg Outdoor Training Centre.

Decided on 28/01/2025

Application reference: NYM/2024/0694

Construction of replacement single storey extension, alterations to driveway and re-siting of oil tank together with alterations to outbuilding to facilitate use as plant room/gym at Douthwaite Hall, Douthwaite Dale, Hutton le Hole for Mr R Foljambe.

Approved on 29/01/2025

Application reference: NYM/2024/0696

Listed Building consent for construction of replacement single storey extension and internal alterations comprising of but not limited to removal of plant room and walls, subdivision of study and bedroom, creation of corridor access between east and west wings together with alterations to outbuilding to facilitate use as plant room/gym at Douthwaite Hall, Douthwaite Dale, Hutton le Hole for Mr R Foljambe.

Granted on 29/01/2025

Application reference: NYM/2024/0471

Advertisement consent for the display of four roadside signs (non-illuminated) at Sutton Bank National Park Centre, Sutton Bank for North York Moors National Park Authority.

Granted on 30/01/2025

Application reference: NYM/2024/0814

Alterations, partial demolition of garage and construction of two storey extension at Tewantin, Headlands Road, Appleton le Moors for Mr Lewis Ryan.

Approved on 30/01/2025

Application reference: NYM/2024/0839

Verification check of condition 6 of planning approval NYM/2024/0271 at Rawcliffe Bank Top Farm, Low Moor Road, Newton on Rawcliffe for Mrs Keren MacMillan.

Decided on 30/01/2025

Application reference: NYM/2024/0851

Construction of single storey extension, enlargement of dormer window and installation of replacement French doors at Abbots Well, Harriet Air Road, Rievaulx for Mr & Mrs Justin Birkett.

Approved on 30/01/2025

Application reference: NYM/2024/0858

Use of land for the siting of one shepherds hut for holiday letting purposes with drainage tank below at Mount Pleasant, High Leir Lane, Old Byland for Mr I Ellis.

Approved on 05/02/2025

Application reference: NYM/2025/0051

Verification check of conditions 4 and 5 of planning approval NYM/2024/0798 at Cherry Tree Farm, High Street, Lockton for Mr Tom Heathcote.

Decided on 06/02/2025

Application reference: NYM/2024/0861

Removal of dormer windows, installation of replacement timber windows and doors and clay pantile roof to dwelling, erection of metal estate style fencing together with metal guttering and installation of timber door to existing opening of outbuilding at Meadow Croft, Hawnby for Mexborough Estates.

Approved on 10/02/2025

Application reference: NYM/2024/0870

Variation of condition 2 (material amendment) of planning approval NYM/2014/0801/FL to allow changes to the footprint and design of the approved garage/workshop together with the installation of solar panels (part retrospective) at Kirkside Cottage, Headlands Road, Appleton Le Moors for Mr P Elsome.

Approved on 10/02/2025

Application reference: NYM/2024/0317

Removal of timber stable building and construction of summerhouse building at Lonsdale House, Main Street, Ampleforth for Mrs Nicola Mackley.

Approved on 17/02/2025

Application reference: NYM/2025/0004

Trees in Conservation Area works comprising of removal of seven willows at risk of windthrow and one willow already partially failed at Inchcail, Main Street, Gillamoor for Ms Boyanna Elks.

Approved on 17/02/2025

Application reference: NYM/2025/0014

Trees in Conservation Area works comprising of felling one Ash in severe decline due to Ash Dieback Disease at Grange Farm, Limpsey Gate Lane, Levisham for Bayes Bayes.

Approved on 18/02/2025

Application reference: NYM/2025/0076

Verification check of conditions 4 and 5 of planning approval NYM/2024/0754 at Peat Rigg Outdoor Training Centre, Sutherland Lane, Cropton for Peat Rigg Outdoor Training Centre.

Decided on 25/02/2025

Application reference: NYM/2024/0847

Construction of single storey rear extension to dwelling following demolition of part single/part two storey extension along with replacement timber windows to front elevation at End House Farm, Main Street, Levisham for Mr & Mrs J Steward

Approved on 27/02/2025

Application reference: NYM/2024/0866

Erection of tractor shed at Yorkshire Gliding Club, Sutton Bank for Yorkshire Gliding Club

Approved on 27/02/2025

Application reference: NYM/2025/0002

Trees in Conservation Area works comprising of felling T1 ASH, T2, T3 Silver Birch, T6 and T7 Sycamore and crown lifting T5 Sycamore at north edge of roadside lawn. at Ganstead, Whitbygate, Thornton-le-dale for Mrs Pam Garnett.

Approved on 28/02/2025

Application reference: NYM/2025/0116

Verification check of condition 6 of planning approval NYM/2014/0801/FL (condition 5 of varied permission NYM/2024/0870) at Kirkside Cottage, Headlands Road, Appleton le Moors for Mr P Elsome.

Decided on 03/03/2025

North Yorkshire Council (Sca)

Application reference: NYM/2024/0768

Resurfacing of outdoor seating area (retrospective) at The Old School Coffee Shop, Grosmont for The Old School Coffee Shop.

Approved on 21/01/2025

Application reference: NYM/2024/0699

Demolition of attached garage and rear extension and construction of single storey side and rear wrap around extension at 35 Runswick Lane, Hinderwell for Mr P Prudom.

Approved on 22/01/2025

Application reference: NYM/2024/0497

Verification check of condition 6 and 10 of planning approval NYM/2023/0088 at Warnbeck Farm, Dunsley Lane, Dunsley for Mr & Mrs L & R Armstrong.

Decided on 23/01/2025

Application reference: NYM/2024/0865

Verification check of condition 2 of non material amendment approval NYM/2024/0378 at 27 West Lane, Danby for Mr Andrew Stanforth.

Decided on 23/01/2025

Application reference: NYM/2024/0869

Verification check of condition 4 of planning approval NY/2024/0398 at 21 Egton Road, Aislaby for Mr & Mrs Catley.

Decided on 23/01/2025

Application reference: NYM/2025/0016

Verification check of condition 1 of planning approval NYM/2021/0832/FL to seek confirmation the commencement of the approved development at Red Farm Barns, High Street, Egton for The Mulgrave Estate.

Decided on 23/01/2025

Application reference: NYM/2024/0842

Advertisement consent for the display on one illuminated totem sign at 13-14 Main Street, East Ayton for James Hall Ltd.

Granted on 24/01/2025

Application reference: NYM/2024/0804

Listed Building consent for installation of replacement timber sash, slimline double glazed windows to front elevation, replacement timber canopy over front door, repair works to windows on side elevation and repointing works at Sunnyside Cottage, 2 Sunnyside, Robin Hoods Bay for Miss Rachel Spencer.

Granted on 27/01/2025

Application reference: NYM/2025/0024

Verification check of condition 3 of planning approval NYM/2007/0902/FL to confirm compliance with local occupancy at Birch Cottage, Ugthorpe for Nathan Smurthwaite and Beth Lloyd.

Decided on 27/01/2025

Application reference: NYM/2024/0816

Demolition of existing dwelling and buildings, construction of replacement dwelling with landscaping and treatment works, conversion of outbuilding to domestic store, erection of stable building and workshop, creation of manege and siting of horse walker along with temporary siting of caravan during construction works at Staintondale Hunt Kennels, Staintondale for Mr & Mrs Jamie & Jess Rose.

Approved on 28/01/2025

Application reference: NYM/2024/0543

Construction of single storey side extension and replacement porch at 14 Tinsley Close, East Barnby for Mr J Hoggarth.

Approved on 29/01/2025

Application reference: NYM/2024/0833

Removal of outbuildings and shed and construction of single storey rear extension at 6 Esk View, Egton for Ms A Hutton.

Approved on 29/01/2025

Application reference: NYM/2024/0815

Erection of timber lodge with decking for holiday letting purposes together with siting of liquid storage tanks within fenced enclosure and parking area (retrospective) at Freedom Lodge, Summerfield Farm, Hawsker Lane, Stainsacre, Whitby for Mr Ben Noble.

Approved on 31/01/2025

Application reference: NYM/2024/0840

Removal of window and door, enlargement of opening and installation of patio doors at Pear Tree Cottage, The Granary, Bannial Flatts, Guisborough Road, Whitby for Miss Jennifer Lonsdale.

Approved on 03/02/2025

Application reference: NYM/2024/0817

Conversion of building to holiday cottage and use of land as amenity space together with installation of package treatment plant at land and building near Smallwoods, Great Fryupdale for Ms Rosemary Dunn.

Refused on 04/02/2025

Application reference: NYM/2024/0859

Change of use from Hotel (Use Class C1) to dwellinghouse (Use Class C3) (no alterations) at Heatherdene Hotel, The Common, Goathland for Mr & Mrs B & K Dunne.

Approved on 05/02/2025

Application reference: NYM/2024/0882

Verification check of conditions 5, 6, 7, 11, and 12 of planning approval NYM/2023/0158 at High Farm, Ugglebarnby for Raymond Harland.

Decided on 06/02/2025

Application reference: NYM/2025/0086

Verification check of condition 3 of planning approval NYM/2024/0239 to confirm compliance with local occupancy condition at land adjacent to 79 Main Street, Hutton Buscel for Mr Mike Lawson.

Decided on 07/02/2025

Application reference: NYM/2024/0863

Enlargement of concrete yard, creation of land banking and drainage works at Liberty Hall Farm, Green End, Goathland for Mr Andrew Hollings.

Approved on 11/02/2025

Application reference: NYM/2024/0786

Verification check of conditions 4, 7, 10, 14 and 18 of planning approval NYM/2023/0126 and conditions 6, 9, 13 and 17 of Listed Building consent NYM/2023/0152 at Suffield Hill, Prospect House Farm, Hay Lane, Scalby for Joe Marshall.

Decided on 12/02/2025

Application reference: NYM/2024/0834

Removal of existing rooflights and chimney together with installation of flue, installation of replacement French doors, alterations to fenestration and doors to sunroom and erection of replacement greenhouse (revised scheme to planning approval NYM/2021/0914/FL) at Smoothmans Cottage, Egton Lane, Egton for Mr M Linton.

Approved on 12/02/2025

Application reference: NYM/2024/0403

Demolition of buildings, construction of one rural workers dwelling with amenity space, erection of general purpose agricultural building, creation of farmyard and landscaping works at Foss Farm, Foss Lane, Sneaton for Mr and Mrs Forster.

Approved on 13/02/2025

Application reference: NYM/2024/0715

Erection of agricultural grain storage and livestock (sheep) building at Biggin House Farm, Guisborough Road, Ugthorpe for Mr P Jones.

Approved on 13/02/2025

Application reference: NYM/2025/0007

Construction of single storey rear extension and re-rendering of dwelling at Rudda Howes, Rudda Road, Staintondale for Mr and Mrs Russell and Fiona Moxham.

Approved on 13/02/2025

Application reference: NYM/2024/0621

Certificate of lawfulness for use of annexe as a dwellinghouse in excess of ten years in breach of condition 6 of planning approval NYM/2008/0067/F/CU at Skelderskew Farm, Annexe 2, Commondale for Mr Allan Hind.

Issued on 14/02/2025

Application reference: NYM/2024/0622

Certificate of lawfulness for use of annexe as a dwellinghouse in excess of ten years in breach of condition 7 of planning approval NYM/2004/0608/FL at Skelderskew Farm, Annexe 1, Commondale for Mr Allan Hind.

Issued on 14/02/2025

Application reference: NYM/2024/0794

Variation of condition 2 (material amendment) of planning approval NYM/2017/0757/FL to allow alterations to fenestration, insertion of French doors and balcony at first floor, omission of velux windows, omission of ground floor French doors and replacement with single door, repositioning of approved flue together with omission of garage doors and retention of window at The Old Filter Station, Ridge Lane, Scaling for Mr Terrance Symington.

Approved on 14/02/2025

Application reference: NYM/2024/0883

Verification check of conditions 13, 14 and 15 of planning approval NYM/2021/0728/FL at Seaton Hall, Whitby Road, Staithes for Mr William Kidd.

Decided on 14/02/2025

Application reference: NYM/2024/0728

Installation of land drainage at Clover Hill Farm, Mars Lane, Scaling for Mr Stephen Savage.

Approved on 17/02/2025

Application reference: NYM/2024/0803

Construction of porch extension and use of store as washroom, installation of replacement timber double glazed windows, composite doors, re-roofing works, installation of five rooflights and boundary treatment works together with resurfacing and change of use scrubland to garden seating area (Use Class C3) (part retrospective) at Shale Cottage, Seaton Garth, Staithes for Mr C Chisholm.

Approved on 17/02/2025

Application reference: NYM/2024/0561

Construction of two local occupancy dwellings with associated parking, amenity space and landscaping works at land adjacent Newholm Village Hall, Newholm for Mr K and Mrs A Laws.

Approved on 19/02/2025

Application reference: NYM/2025/0012

Verification check of conditions 7 and 8 of planning approval NYM/2024/0762 at Wilks Farm, Shortwaite, Lealholm for Mr Jonathan Hutchinson.

Decided on 19/02/2025

Application reference: NYM/2025/0099

Application for verification check of condition 5 of planning approval NYM/2020/0605/FL (Condition 4 of varied permission NYM/2024/0712) at Cross Farm Buildings, Egton for Mr Martyn Cana.

Decided on 20/02/2025

Application reference: NYM/2024/0873

Construction of first floor extension at Morfa Cottage, Station Road, Hawsker for Mr Neil Mossley.

Approved on 21/02/2025

Application reference: NYM/2025/0072

Verification check of condition 3 of planning approval NYM/2024/0353 at Sadler House Farm, Goathland for Mr and Mrs D & S Lindsay.

Decided on 21/02/2025

Application reference: NYM/2024/0872

Alterations and construction of single storey extensions at 161 Coach Road, Sleights for Mrs Julie Cownden.

Approved on 25/02/2025

Application reference: NYM/2025/0036

Verification check of condition 3 of planning approval NYM/2024/0483 at York House Caravan Park, Hawsker for York House Caravan Park.

Decided on 25/02/2025

Application reference: NYM/2025/0070

Verification check of conditions 3 and 4 of planning approval NYM/2024/0703 at land adjacent existing car park at Goathland Community Hub and Sports Pavilion, Goathland for Mr Kevin Mayes.

Decided on 25/02/2025

Application reference: NYM/2024/0875

Construction of one agricultural workers dwelling with attached garage, associated access and amenity space at Hodgson Moor Farm, Gowlands Lane, Cloughton for Mr & Mrs N & G Fenby.

Approved on 27/02/2025

Application reference: NYM/2024/0890

Prior approval for erection of general purpose agricultural storage building under Part 6 at Westfields Farm, High Street, Mickleby for Mrs Joanne Smith.

Approved on 27/02/2025

Application reference: NYM/2025/0085

Verification check of condition 6 of planning approval NYM/2023/0523 (varied through NYM/2024/0205) at The Lilacs, Scar Lane, West Barnby for Mr M Greenwood.

Decided on 27/02/2025

Application reference: NYM/2023/0361

Verification check of conditions 3, 5 and 6 of planning approval NYM/2022/0779 at Hollins Farm, Hollins Farm Road, Westerdale for Mr Graham Richardson.

Decided on 03/03/2025

Application reference: NYM/2024/0880

Verification check of conditions 32, 33, 34, 35 of planning approval NYM/2014/0399/FL at Danby Castle, Castle Lane, Danby for Dawnay Estates.

Decided on 03/03/2025

Application reference: NYM/2025/0030

Verification check of conditions 7 and 8 of planning approval NYM/2023/0749 at Chapel Cottage, Main Street, Hutton Buscel for Dr David Ames.

Decided on 03/03/2025

Application reference: NYM/2025/0111

Verification check of condition 3 of planning approval NYM/2024/0863 at Liberty Hall Farm, Green End, Goathland for Ms Margaret Carr.

Decided on 03/03/2025

Application reference: NYM/2011/0800/CLE

Certificate of lawfulness for use of land for the siting of a static caravan for holiday use with associated decking and storage shed in excess of ten years at Summerfield Farm Hawsker for Mr Thomas Noble.

Issued on 28/02/2025

Application reference: NYM/2025/0054

Verification check of condition 1 of planning approval NYM/2024/0723 to seek confirmation the commencement of the approved development at Browside Farm, Common Lane, Glaisdale for Yorkshire Planning Consultants.

Decided on 05/03/2025

Redcar and Cleveland

Application reference: NYM/2024/0824

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 for Mr and Mrs Wheeler.

Approved on 07/02/2025

Application reference: NYM/2024/0728

Installation of land drainage at Clover Hill Farm, Mars Lane, Scaling for Mr Stephen Savage.

Approved on 17/02/2025

Application reference: NYM/2025/0009

Verification check of conditions 5, 8 and 12 of planning approval NYM/2024/0384 and Listed Building consent NYM/2024/0386 at Red House Farm, Cowbar Lane, Cowbar for Liz Watson

Decided on 21/02/2025

Application reference: NYM/2022/0660

Verification check of conditions 4 and 5 of planning approval NYM/2021/0842/LB at Red House Farm, Cowbar Lane, Cowbar for Mrs Liz Watson.

Decided on 05/03/2025

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/2024/0879

Prior approval for erection of agricultural storage building under Part 6 at Malkin Bower, Fangdale Beck Village, Fangdale Beck for Mr M Burrell.

Approved on 12/02/2025

Application reference: NYM/2024/0878

Prior approval for removal of existing building and erection of replacement agricultural storage building under Part 6 at Low Farm, Ellerburn Road, Thornton-le-Dale for Mr Gary Kendall.

Approved on 13/02/2025

North Yorkshire Council (Sca)

Application reference: NYM/2025/0010

Prior approval for erection of lean-to agricultural building for storage purposes (straw/machinery) under Part 6 at Townlands Farm, Newton Mulgrave for R & D Harland.

No prior approval required on 30/01/2025

Application reference: NYM/2024/0889

Prior approval for erection of general purpose agricultural storage building under Part 6 at land north of Brooklands Farm, Harwood Dale for Mr John Simpson.

Approved on 03/03/2025

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 reference: NYM/2024/0730

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.

The above application was approved by Planning Committee on 6 February 2025, subject to Director of Planning to clear an amendment to the landscaping condition to ensure enhanced boundary planting to the western side of the application site including the access. The decision notice has been issued with amendments to conditions 2 and 30 as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plan s:

Document Description	Drawing No.	Date Received
Site location plan	-	15/10/2024
Proposed camping/ campervan park	pp1 r8	07/02/2025

30. The native hedgerow planting works shown on drawing no. pp1r8 received on 7 February 2025 shall be carried out in accordance with the approved details and shall include additional planting along the existing hedgerow on the eastern boundary of the site, before any part of the development is first brought into use. The completed scheme shall be managed and/or maintained in accordance with an approved scheme of management and/or maintenance in accordance with an approved scheme of management and/or maintenance as submitted to and approved in writing by the Local Planning Authority.

Applications adjacent to the National Park (3024)

Application reference: ZF24/00922/FL

For the siting of eight lodge style cabins, associated access, parking and landscaping at Sandfield House Farm, Sandsend Road, Sandsend.

The Authority has assessed the proposed development and responded as follows:

'I would advise you that the additional details do not alter this Authority's previous comments dated 6 August 2024.

In determining the application, we would remind the Council that it is a relevant authority for the purposes of Section 245 of the Levelling Up and Regeneration Act 2023 which has amended the previous duty of regard under Section 62 of the 1995 Environment Act. This requires that in exercising or performing any functions to, or so as to affect, land in a National Park, a relevant authority must seek to further the purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.'

Application reference: R/2024/0857/CAM

For the change of use and conversion of part of ground floor of the modern wing of Hotel to create Spa facilities including swimming pool, associated external development to include treatment and relaxation huts and landscaping at Gisborough Hall, Whitby Lane, Guisborough.

The Authority has assessed the proposed development and raised no objections however requested the inclusion of a condition requiring Dark Sky compliant external lighting.

Application reference: ZB24/02288/FUL

To replace two existing agricultural barns with a dwelling with associated amenities at Grove Farm, Easby.

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

Application reference: ZB24/01200/FL

For new 33kv substation, new operations and maintenance cabin and two storage containers at Eastgate Solar Farm, Seamer Moor Lane, Scarborough.

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

Application reference: ZF24/01979/RM

For the approval of reserved matters (appearance, layout, scale and landscaping) for the erection of 49no dwellings pursuant to outline planning permission 20/00249/FL at Broomfield Farm, Stainsacre Lane, Whitby.

The Authority has assessed the proposed development and raised no objection, however if approved, requested a condition is included requiring Dark Sky compliant external lighting.

Appendix D

List of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation for the period of 21 January 2025 to 6 March 2025.

Reference number	Development description and site address	Decision taken
20363	Monitoring of planning approval NYM/2020/1018/FL at Former Saw Mill Timber Yard, East Row, Sandsend.	Works in accordance with the approved plans.
17460	Alleged unauthorised timber shed/ outdoor bar area at St Hilda's Farm, 3A High Street, Hinderwell.	Old case with low expediency score.
20584	Alleged unauthorised wedding venue at West Acre Lodge, Boltby.	Wedding venue use not to be pursued- no breach occurring.
21191	Alleged unauthorised works to path at Thirsley Bottom, Hackness.	To open enforcement case and allow service of Planning Contravention Notice and possible formal action.
20975	Alleged unauthorised stables and change of use at land South of Crosses Farm, Harwood Dale.	To open enforcement file to serve Planning Contravention Notice and allow possible enforcement action to enable removal of stable.
20996	Alleged unauthorised gazebo at Blacksmiths Arms, Swainby.	Tent removed from garden.
20479	Alleged unauthorised siting of caravan at field near High Farm, Faceby.	Use of land to site caravan has now ceased.
0008/2022	(P1) Alleged unauthorised internal works to Grade II Listed Building including removal of Yorkshire range and digging out of basement at Cranny, King Street, Robin Hoods Bay.	Works have been completed in accordance with Listed Building consent NYM/2022/0837 – which covers the requirements included in the Enforcement Notice.
21192	Potential non compliance of planning approval NYM/2023/0175 at Woodbine Cottage, Kilburn.	No breach of condition
21211	Alleged unauthorised posts and potential ANPR system at Fisherhead Carpark, Robin Hoods Bay.	No breach found
21225	Alleged unauthorised creation of driveway at 21 North End, Osmotherley.	Breach in excess of four years – not enforceable. Change of use ceased.
20696	Alleged unauthorised large amount of signage at Fox and Hounds Inn, Slapewath, Guisborough.	Case closed for formal enforcement action in form of an Enforcement Notice for

Reference number	Development description and site address	Decision taken
		removal of unauthorised signage.
21107	Alleged unauthorised excavation works to front of properties at Lynnfield/Birtley House, Station Road, Robin Hoods Bay.	No breach found.
14685	Alleged Unauthorised works to Listed Building at Old May Beck, Sneaton.	Application for de-listing submitted. Historic significance lost and no longer expedient to pursue as no works requiring planning permission carried out.
21267	Concerns about flooding from wall drainage holes near Wass.	Works are permitted development.
20042	Potential breach of permitted development rights ay Flower Belt, near Helmsley.	Planning permission sought retrospectively – unauthorised works have been regularised.
21266	Potential non compliance of planning approval NYM/2023/0354 at The Chantry, Coxwold.	Work is in accordance with the approvals and permissions.
17746	Erection of Kennels and Dumping of Spoil at Woodlear, Rosedale Abbey.	No further action required.
21285	Alleged unauthorised blocking of public rights of way with fencing at Fisherhead, Robin Hoods Bay.	No breach of planning control.
19711	Alleged unauthorised storage and burning waste at land south of A172 on the disused railway line, Swainby.	Case resolved.
20608	Monitoring of planning permission NYM/2014/0801 at Kirkside Cottage, Appleton le Moors.	Planning permission granted to take into account the revised ridge height and a few other small details.
17712	Alleged unauthorised works at Grinklewood Grange, Easington (formerly The Rectory).	Listed Building consent and subsequent discharge of conditions all approved – covering retrospective works.
17721	Alleged unauthorised excavation works at Sundial Cottage, Fryup	Not expedient to pursue.
20551	Alleged unauthorised overnight parking of motorhomes at Postgate Inn, Egton Bridge.	No breach found.
20552	Alleged unauthorised overnight parking of motorhomes at Ellerby Country Inn, Ellerby.	No breach found.
20704	Alleged unauthorised mast at The Howe, Danby.	Retrospective planning application submitted for the works and all issues concerning ecology and archaeology will be

Reference number	Development description and site address	Decision taken
		covered. Currently a delay in processing due to BNG.
19183	Monitoring NYM/2020/0710/FL following receipt of Notification of Commencement Form at Swainby and Potto School, Swainby.	Development complete. No further monitoring required.
19462	Compliance check of conditions 6 and 7 for planning application NYM/2022/0061 at land and buildings north of Church House Farm, Danby Head.	Works not commenced and also not necessary to monitor.
20752	Alleged unauthorised demolition of sheds and buildings at Station Yard, Garth End Road, West Ayton.	Application received.
21217	Alleged unauthorised building works at Woodland near Studford Farm, High Street, Sproxton.	Works in accordance with approval
20375	Concerns regarding building site at Central Garage Site, High Street, Castleton.	Application received.
002/2024	Alleged unauthorised hospitality lodge with decking at land to north of Scawton Park Farm, Scawton	Hospitality lodge and decking removed.
002/2023	Shooting of ducks possibly being brought onto ponds at ponds near Stape.	Breach of condition notice ceased.
19510	Monitoring of NYM/2021/0597/FL at 6 Prospect field, High Hawsker, Whitby.	Development is in accordance with approved plans – no further monitoring required.
21324	Alleged unauthorised erection of shed at 6 Hard Struggle Cottages, Eskdaleside.	Shed is permitted development under Class E, Part 1 of the General Permitted Development Order 2015.
21094	Potential unauthorised earth works affecting Scheduled Monument (Steeple Cross Dyke) at Dale Town Common, Nr Boltby.	No further action necessary.
19614	Monitoring of NYM/2020/0920/FL and NYM/2021/0717/NM at land adjacent to 17 Garbutt Lane, Swainby.	No complaints received regarding this development and all in accordance with approved plans.
21066	Alleged unauthorised large wooden gate at Wheatkits, 12 The Commons, Goathland.	Permitted development.
19840	Alleged unauthorised works at Shale Cottage, Staithes.	Retrospective application approved with conditions on 17 February 2025.

Reference number	Development description and site address	Decision taken
20483	Potential breach of planning permission NYM/2004/0608/FL and NYM/2008/0067/CU at Annex 2, Skelderskew Farm, Comondale.	Certificate of lawful use issued
21210	Potential non compliance of planning approval NYM/2024/0236 at Old Chapel Tea Room, 5B High Street, Castleton.	No development found.
20796	Alleged unauthorised internal alterations to Listed Building at The Wheatsheaf Cottage, Egton.	Retrospective Listed Building consent application granted.

Enforcement Notices served

Reference number	Development description and site address	Decision taken
0018/2024	Unauthorised overnight stays by campervans at Horse Shoe Hotel, Egton Bridge.	Planning Contravention Notice served 28/02/2025.
0024/2025	Unauthorised works to track at Thirsley Bottom, Hackness.	Planning Contravention Notice served 31/01/2025.
0025/2025	Unauthorised stables at land South of Crosses Farm, Harwood Dale.	Planning Contravention Notice served 04/02/2025.
0019/2024	Unauthorised building at land adjacent to Lodge Farm, Cow Close Lane, Moorsholm.	Enforcement Notice served 11/02/2025.

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

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

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

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

Statutory Plans:

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

Supplementary Planning Documents (SPD):

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

North York Moors National Park Authority

Plans list item 1, Planning Committee report 27 March 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 Goods Shed building into two 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><th>Document Description</th><th>Drawing No.</th><th>Date Received</th></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 floor plans & elevations</td><td>0021 Rev P1</td><td>09/08/2024</td></tr><tr><td>House Type 1 (Plots 5-8)</td><td>0010 P2</td><td>11/11/2024</td></tr><tr><td>House Type 2 (Plots 1-4 & 13-22)</td><td>0011 P3</td><td>11/11/2024</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 floor plans & elevations	0021 Rev P1	09/08/2024	House Type 1 (Plots 5-8)	0010 P2	11/11/2024	House Type 2 (Plots 1-4 & 13-22)	0011 P3	11/11/2024
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House Type 1 (Plots 5-8)	0010 P2	11/11/2024																		
House Type 2 (Plots 1-4 & 13-22)	0011 P3	11/11/2024																		

Condition number	Condition code	Condition text
		House Type 4 0013 P3 11/11/2024 (Plots 9-12 & 25)
3	UOR14	Plots 1-4, 9-12, 17-19, 31-34 (Station House Apartments) and Plots 35-36 (Goods 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 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.

Condition number	Condition code	Condition text
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. The scheme shall include: - a) All efforts shall be made to reduce dust generation to a minimum. b) Stockpiles of materials for use on the site or disposal, that are likely to generate dust, shall be sited so as to minimise any nuisance to residents or neighbouring businesses. Materials for disposal shall be moved off site as quickly as possible. c) Water sprays shall be used, as and when necessary, to reduce dust from particularly "dusty" activities or stockpiles.
9	AC21	Prior to installation of external lighting the applicant shall submit to, for approval in writing by the Local Planning Authority, details relating to the external lighting scheme (including vertical lux diagrams which show potential light trespass into windows of nearby residential properties). This scheme must meet the requirements within the Institution of Lighting Professionals guidance notes for the reduction of obtrusive lighting. Furthermore, 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

Condition number	Condition code	Condition text
		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 Goods 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.
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 Goods 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

Condition number	Condition code	Condition text
		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 Goods Shed development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the 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 Goods 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: 1. a preliminary risk assessment which has identified: - all previous uses

Condition number	Condition code	Condition text
		- 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 2. 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. 3. 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. 4. 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

Condition number	Condition code	Condition text
		(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 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: 1. details of any temporary construction access to the site including measures for removal following completion of construction works. 2. wheel washing facilities on site to ensure that mud and debris is not spread onto the adjacent public highway. 3. the parking of contractors' site operatives and visitor's vehicles.

Condition number	Condition code	Condition text
		4. areas for storage of plant and materials used in constructing the development clear of the highway. 5. details of site working hours. 6. 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 Goods 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: 1. A biodiversity gain plan has been submitted to the Local Planning Authority, and 2. 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) a copy of the completed biodiversity metric. b) description and evaluation of the habitats to be retained, enhanced and/or created onsite. c) detailed description of the management measures required for each habitat, with reference to the proposed condition of each habitat within the completed biodiversity metric. d) preparation of a work schedule, to demonstrate how the management can be implemented for the next 30 years. e) details of the persons or organisation responsible for implementation of the plan. f) details of the proposed habitat monitoring and plan review on a five year cycle.
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 Goods Shed buildings work shall commence on site to clear or strip out the building to which this 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

Condition number	Condition code	Condition text
		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
35	MC00	1. All 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 2. The best practicable means, as defined in section 72 of the Control of Pollution Act 1974, to reduce noise to a minimum shall be employed at all times. 3. All plant and machinery in use shall be properly silenced and maintained in accordance with the manufacturers' instructions 4. All compressors shall be sound reduced models, fitted with properly lined and sealed acoustic covers, which shall be kept closed whenever the machines are in use. All ancillary pneumatic percussive tools shall be fitted with mufflers or silencers of the type recommended by the manufacturers. 5. All machines in intermittent use shall be shut down during intervening periods between work or throttled down to a minimum. Noise emitting equipment, which is required to operate continuously, shall be housed in suitable acoustic enclosures. 6. Items of plant and equipment shall be maintained in good condition so that extraneous noise from mechanical vibration, squeaking or creaking is reduced to a minimum. 7. All pile driving shall be carried out by a recognised noise reducing system. 8. Where practical, rotary drills and bursters, actuated by hydraulic or electric power shall be used for excavating hard material

Condition number	Condition code	Condition text
		9. In general, equipment for breaking concrete and the like, shall be hydraulically actuated. 10. The most recent version of 'BS 5228 Noise Control on Construction Sites' to be referred to in respect of all work carried out by the developer, their main contractor and any subcontractors. 11. Any emergency deviation from these conditions shall be notified to the Council without delay 12. Any planned deviations from these conditions for special technical reasons, shall be negotiated with the Council at least 14 days prior to the commencement of the specific work. 13. Permissible noise levels are not specified at this stage
36	MC00	Prior to any installation of any Air Source Heat Pump (ASHP) to be installed under the provisions of the MSC-020, an ASHP calculation recommended by the Institute of Acoustics and the Chartered Institute of Environmental Health needs to be submitted to the Local Planning Authority. The results of this noise calculation would determine whether the ASHP would cause a noise problem that would be detrimental to the amenity for the local residents. If the recommended noise level is exceeded at the nearest sensitive receptor a full noise assessment would be required showing the suggested mitigation to insulate the ASHP to reduce the noise impact to acceptable levels. A full and complete noise assessment report considering all of the potential noise sources is required. The noise report should be undertaken to the standard described in BS 4142:2014+A1:2019.
37	MC00	Before the development hereby approved is brought into use, a manned measured noise survey must be carried out and a report of the findings submitted to and approved in writing by the Local Planning Authority. The noise survey must include reference to measured background noise level at monitoring locations agreed by the Local Planning Authority. The noise emitted must be measured at 1.0m from the facade of the nearest residential premises to demonstrate that the noise emitted by the

Condition number	Condition code	Condition text
		combined operation of all external building services plant hereby permitted does not exceed 10db below background noise level at any time when the plant is operating. Measurement parameters must include the LA90, LAeq, LA Max and frequency analysis. Should the plant fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply. The use of the equipment must not commence or re-commence until a fully detailed noise survey and report has been submitted to and approved in writing by the Local Planning Authority and approved mitigation measures such as acoustic screening or silencers have been implemented. The plant shall be serviced regularly in accordance with manufacturer's instructions and as necessary to ensure that the requirements of the condition are maintained at all times. Should the plant and equipment fail to comply with this condition at any time, it shall be switched off and not used again until it is able to comply.
38	MC00	No work shall commence on site to demolish and reconstruct the existing station platform on the site until a statement detailing the method of dismantling and reconstructing the platform has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide for the reuse of the existing materials, safeguarding of materials, details and position of any new materials. The work shall not be carried out otherwise than in accordance with the details so approved.

Informative(s)

Informative number	Informative code	Informative text
1	MC INF00	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

Informative number	Informative code	Informative text
		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 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 [can provide / has provided below] 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:

Informative number	Informative code	Informative text
		a) the proposed highway layout including the highway boundary b) dimensions of any carriageway, cycleway, footway, and verges c) visibility splays d) the proposed buildings and site layout, including levels e) accesses and driveways f) drainage and sewerage system (with 100mm level contours and flow direction arrows shown) g) Road Marking and Signage Layout together with Sign Schedules h) traffic calming / traffic engineering measures i) all types of surfacing (including tactiles), kerbing and edging. j) an A4 or A3 'Stick Diagram' of the Road Layout showing all roads to be constructed marked with a road number e.g. Road 1, Road 2, Road 2A, Road 3 etc k) details of street furniture including bollards, fencing, seating, bins, bus stop infrastructure l) details of vehicle restraint systems m) details of existing utility services apparatus (overhead and underground) n) details and specification of traffic signals, electronic systems, communications equipment o) landscaping and planting details including all trees, hedges, and low level planting. p) details of wayleaves, public rights of way q) 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: a) the existing ground levels b) the proposed road channel and centre line levels

Informative number	Informative code	Informative text
		c) full details of surface water drainage proposals, including SuDS features, storage tanks and attenuation systems 3. Full highway construction details including: a) 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. b) when requested cross sections at regular intervals along the proposed roads showing the existing and proposed ground levels c) kerb and edging construction standard details d) 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	MC INF00	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	MC INF00	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

Informative number	Informative code	Informative text
		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.

Map showing application site



**North York Moors
National Park**

Application Number: NYM/2024/0577

Scale: 1:2500

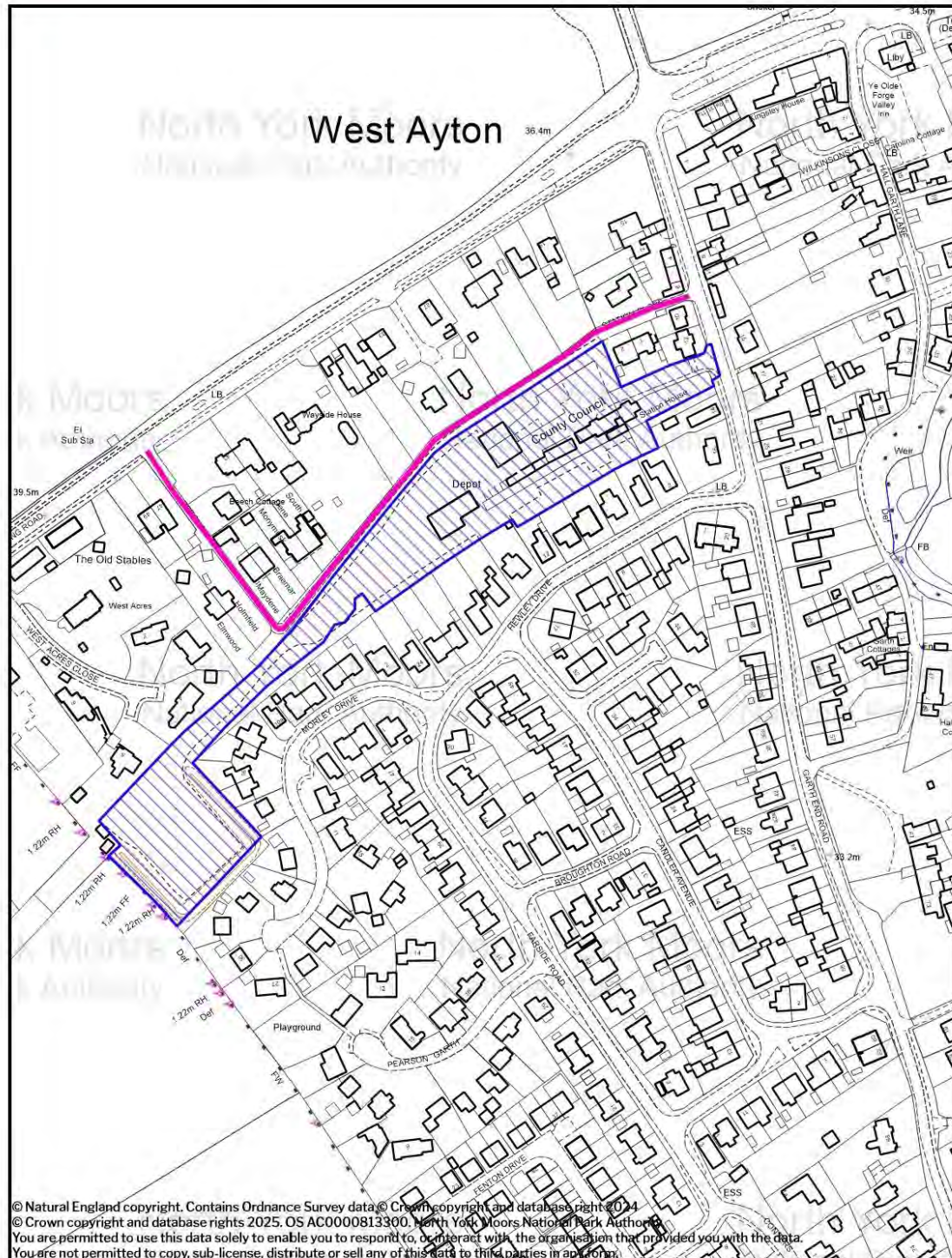


Photo showing entrance to the Highways Depot site with the Station House in the centre of the photo



From within the site looking back to the Goods 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 Parish Council 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 Parish Council 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 Parish Council and residents. The Parish Council supports the request from North Yorkshire Council 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 Parish Council 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 Parish Council 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 Parish Council 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 Public Right of Way 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 Parish Council and residents:
- Social housing – will the properties be allocated to local people?
- Should two storey houses to be built next to the existing bungalows on Hewley Drive?

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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).

Additional comments received 28/01/2025 - Strongly object to the planned proposal to remove the remaining visible section of the Station Platform so that a surface water storage tank can be buried beneath the open 'grass area' (currently under gravel and a non-approved sales office building) at the front of the Station Yard entrance. This is a violation of the Conservation Area Management Plan and the North York Moors Conservation Officer's requirements to maintain the historic features and appearance of this landmark area of the village. It is a further demonstration of the Developer's disregard of the historic importance of this site to the residents of West Ayton and the history of the Forge Valley Railway Line along the southern boundary of the National Park.

The Parish Council recognise that there is a need for a surface water tank to slow the flow of rainwater into the foul sewers, however this should be done without destroying one of the remaining historic features of the Station. The current planned dimensions of the tank are 22 metres long x 7 m wide x 0.9 m deep giving a capacity of 131.7 cubic metres. A narrower, longer, and deeper tank can surely be provided to be the capacity required without the platform wall being compromised or damaged during construction. Alternatively, two smaller tanks should be installed, one in the middle of the site and a much smaller one in the proposed location.

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).

Additional comments from the Environmental Protection Team 30/01/2025 - The development site sits within a residential area to all sides, and therefore existing neighbours are at risk of unacceptable noise and other disruption from the development referred to above, therefore request conditions regarding noise control. Also note that

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the proposed dwelling is to be heated via air source heat pumps. The site is within a conservation area in the North York Moors National Park and therefore permitted development rights for the installation of air source heat pumps do not apply. The applicant has not submitted a suitable noise assessment to assess the impact of noise from the proposed air source heat pumps.

Air source heat pumps have the potential to be sources of noise, therefore the applicant must assess the impact of noise from the proposed air source heat pumps to occupants of the proposed development, and existing residents from the neighbours of the development. Therefore, require a condition regarding noise from Air Source Heat Pump (ASHP)

Conditions should also be attached regarding dust control and lighting.

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 Yorkshire Water, 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.

17/01/2025 – No new information relating to drainage has been submitted. Yorkshire Water has no additional comments to make in regard to the submitted information. Our NYM/2024/0577

previous comments and recommendations outlined in our previous response dated 22 October 2024 still apply.

24/01/2025 - 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, a condition 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.

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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.

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

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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

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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 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.

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- 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/beechn 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, metal railings may be appropriate.
- 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 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 is 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

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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 master's house and former Goods 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, Goods 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 Goods Shed into six further residential units. A decision on the application was deferred at the Planning Committee meeting on 6 February 2025 for a Member site visit due to the complex nature of the planning issues involved in a cross boundary "straddling application", the level of public

involvement and the “off policy” context of the development in relation to the current Local Plan.

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 Goods 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 Goods 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 all be affordable housing for rent) and twelve x two bed units (four of which would be affordable for rent, one affordable – shared ownership and one principal residence) and four x three bed dwellings (principal residence).

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, Goods 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, Goods 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 C07 (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

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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 Goods 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 Goods 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 Goods 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 the 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.

The Authority's Ecologist has reviewed all of the documents submitted with this application. The Ecological Impact Assessment (Naturally Wild, Aug 2023) identified that a European Protected Species Licence (EPSL) will be required for the works to be undertaken as such has requested that this be required as a condition of any consent together with the mitigation and compensatory works included in the Ecological Impact Assessment. Furthermore, the statutory Biodiversity Net Gain and Habitat Management and Monitoring Plan conditions are recommended, as is a condition requiring details of external lighting and how it will not illuminate any areas identified as used by foraging/commuting bats, as well as other nocturnal wildlife.

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 27 March 2025

Application reference number: NYM/2019/0832/FL

Development description: Proposed repairs to roads and tracks and creation of new tracks for agricultural and forestry purposes (part retrospective)

Site address: land at Newgate Farm, Hackness

Parishes: Silpho and Hackness

Case officer: Jill Bastow

Applicant: 4 Gun Estates LLP, The Old Lodge, Wighill Park, Tadcaster, LS24 8BR

Agent: R M English (Yorkshire) LTD, fao: Mr Stephen Burley, 2 Railway Street, Pocklington, York, East Riding of Yorkshire, YO42 2QZ

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	MC00	Within six months of the substantial completion of the works to, and occupation of, Newgate Farm approved under NYM/2019/0619, the road chippings to track no.2 shall be removed and the track resurfaced in crushed stone in accordance with a scheme first approved in writing by the Local Planning Authority.

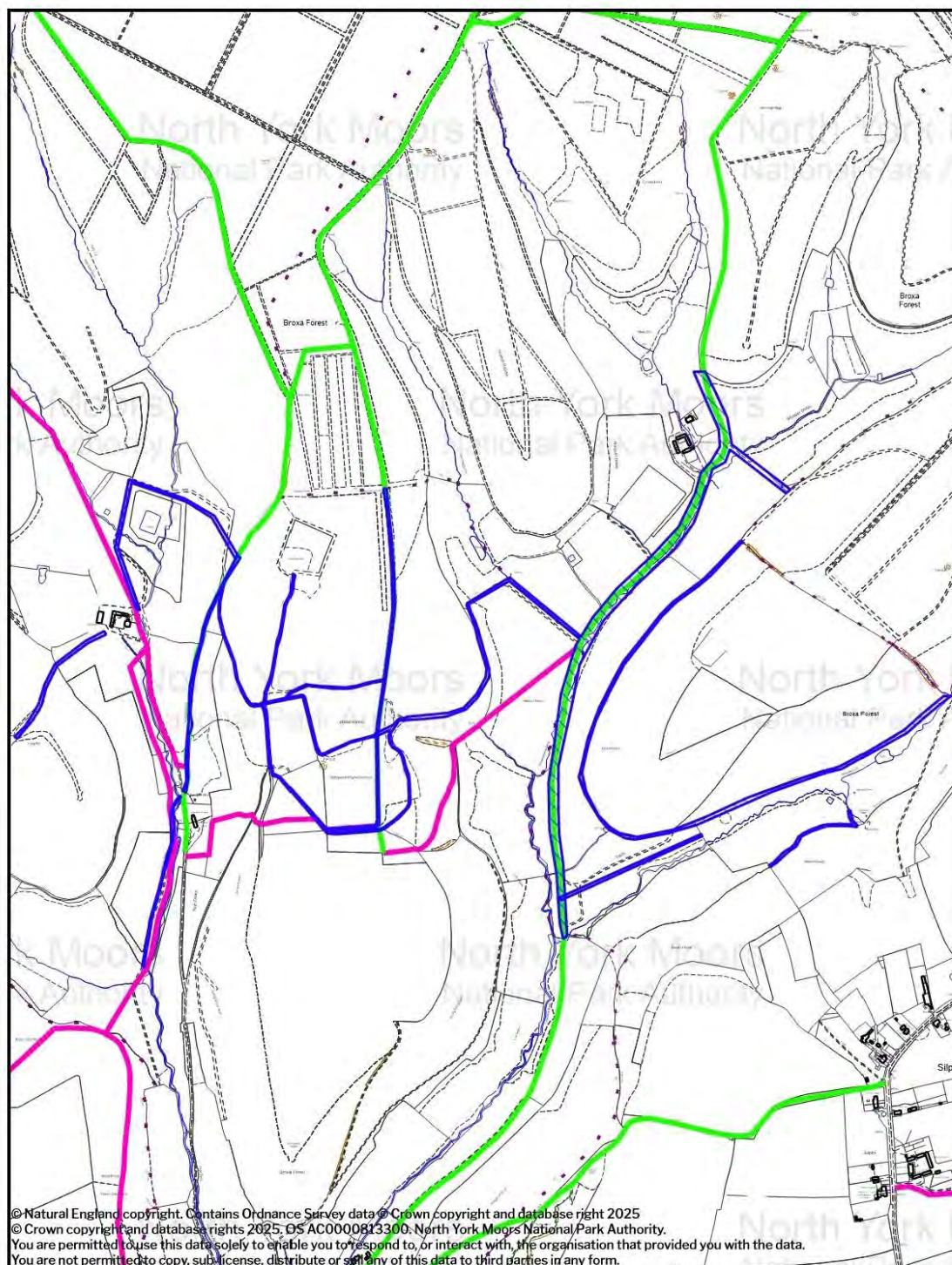
Map showing application site



**North York Moors
National Park**

Application Number: NYM/2019/0832

Scale: 1:10000



Map showing new tracks (red) and existing tracks re-surfaced (purple)

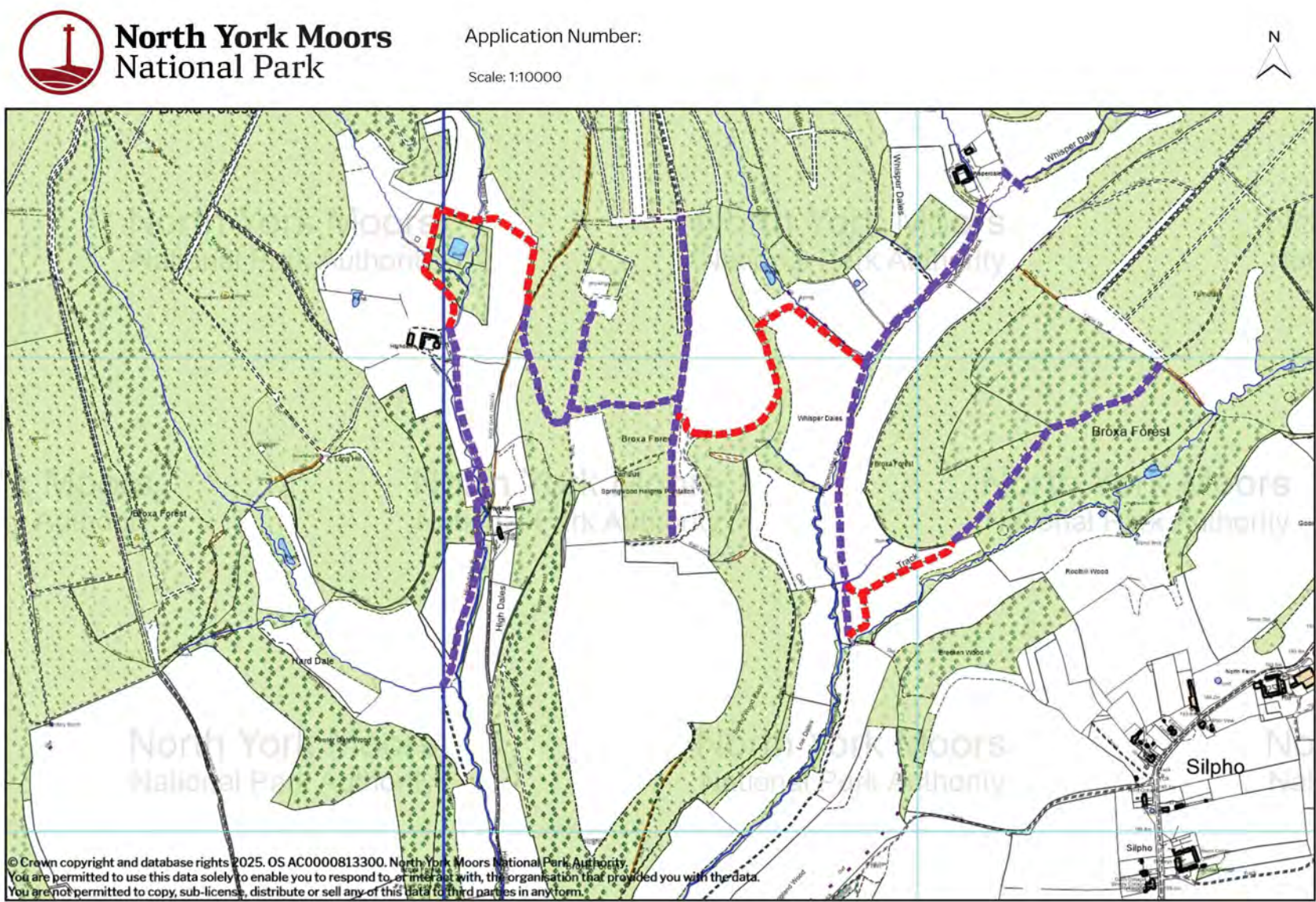


Photo showing the existing track leading to Newgate Farm which has been realigned and resurfaced with road chippings:



Photo showing the existing track through Whisperdales which has been resurfaced:



Photo showing the existing track through Spring Wood which has been resurfaced:



Photo showing the new track from Newgate Farm to Spring Wood:



Photo showing the new track from Whisperdales to Spring Wood:



Consultation responses

North Yorkshire Council (formerly Scarborough Borough Council)

No objection

Parish (Hackness and Harwood Dale Group)

Object. Work has continued on the creation/improvement of these tracks despite consent not having been given. The general feeling is that these tracks have been widened or created for the benefit of the shooting enterprise on this land and not for agriculture or forestry. The newly created track through the bluebell wood at Fewler Gate Wood isn't on the map. Also, would point out that neither Lowdales Road nor Whisperdale Road are suitable for large timber wagons.

Recent correspondence: the road planings are considered to be an inappropriate material and should be removed.

Highways

No objection

Forestry Commission

No comment

Environment Agency

No objection

Historic England

No comment

Ramblers Association

No comments received

Police – Traffic

No comments received

Third party responses

Mr Andrew Platten & Mrs Joanna Platten, Edgemoor, Silpho – Object for the following reasons:

- Stone from the tracks through Springwood fell onto the bridleway below, making it very uneven to walk or ride on. There is also a problem when it rains as the run-off down the bank side has washed away the soil around the tree roots causing instability to some of the trees and waterlogging the bridleway.

- There was no need to scrape back the perfectly good track between Whisperdale Farm and Turkey Heights; it is worse now than before, with potholes and no runoffs for water. This has only been done to facilitate vehicles for the shoot and is not suitable for heavy forestry vehicles.
- The application mentions agricultural use and forestry: will any of the trees that are harvested be replanted? If there is to be machinery moving around on any of the footpaths/bridleways, how will this affect the public wanting to walk/ride through this popular area? Where is all the transport going to access and egress from, what working hours will there be and what sort of noise levels will affect the residents of Silpho, as the noise from Whisperdales and Silpho Moor does carry? Will there be a shoot, if so, how many days? Silpho has been left with a large number of pheasants from the previous shoot which are now destroying the residents' gardens and crops.

Carol Dickinson, Pond Cottage, Silpho – Objects for the following reasons:

- The tack from Whisperdales to Lowdales did not need scraping back and resurfacing for horses and walkers and has been done to facilitate four-wheel drive vehicles for shooting and has spoilt the iconic Whisperdales. The track is worse than before with considerable run-off into Lowdales Beck.
- It is unclear if shooting will take place again. We have endured years of thousands of pheasants being released, destroying crops and gardens, and with constant noise during the shooting season with shot birds not collected and being left to rot.
- The public footpath from Broxa Farm to Highdales through the bluebell wood is not mentioned but a track has been bulldozed through it along the footpath.
- This beautiful corner of the National Park has been spoilt with tracks bulldozed and trees felled; how can Whisperdales be restored to its former glory?

Consultation expiry

30 August 2021

Background

Newgate Farm, formerly known as Highdales, comprises an early nineteenth century farmstead in a remote location to the north-west of Hackness village at the end of the road to Low Dales and High Dales. It occupies a valley floor position with the land to the north, east and west rising up and the land to the south gently sloping away. The estate extends to 82 hectares of grassland and 89 hectares of woodland and accommodates the Highdales Shoot, a long established pheasant shoot with ten guns, and 11 days per season.

Planning permission was granted in October 2020 for alterations and extensions to the main farmhouse along with the conversion of the barns into two residential annexes, domestic garaging and storage, with a walled courtyard garden within the former farmyard. Planning permission was also granted for a new agricultural building on land to the west. Work has started on this permission.

At a similar time (December 2020) the Authority received an application for the creation of a lake on the land to the south of Newgate Farm. This would have necessitated the diversion of a public footpath and the Authority's Public Rights of Way Officer had proposed a package of Orders to not only facilitate the proposed lake but also bring about Public Rights of Way (PROW) connectivity improvements to the wider PROW network in the locality. However, the application was ultimately withdrawn in March 2024 and the applicant decided not to pursue any of the proposed PROW Orders.

Prior to this in December 2019 a complaint was received from the Authority's Ranger team regarding unauthorized works to the tracks in and around Highdales and Whisperdales at a similar time to receipt of a prior notification application for tracks works under Part 6 of the General Permitted Development Order. However, the Authority concluded that the works did not constitute 'permitted development' and that full planning permission was required resulting in this current application which was registered in March 2020.

The application seeks retrospective planning permission for the creation of three new tracks linking Newgate Farm (or Highdales) to Whisperdales along with another new track into Broxa Forest from Whisperdales; all other work relates to the repair and resurfacing of existing tracks, of which three are PROWs: the main track up to Newgate Farm, the bridleway through Springdale Wood leading to Reasty Bank and the track through Whisperdales.

The works to the existing tracks has involved the surface being scraped off, levelled, and back filled with stone, with no increase in width. The main track to Newgate Farm has been increased in width to 4 metres, slightly realigned to allow improvement works to the gradient of the bankside to Newgate Gill and surfaced with road planings/chippings. The new tracks, which follow the routes of existing paths through the forest, have been created with compacted stone at a width of 3 metres, cambered sides and scattered with grass seed to soften the visual appearance.

The reporting of this application to Members was held back whilst the Authority was also considering the application for the lake to the south of Newgate Farm as that required a diversion of the public footpath and as explained above, the Authority was trying to secure an enhancement to the wider PROW network which would have seen some of the new tracks under consideration as part of this application made into PROWs. Unfortunately, the applicant decided not to pursue the application for the lake and consequently did not wish to proceed with the PROW orders.

Main issues

Local Plan

The most relevant policy of the Local Plan against which to assess the application is **Policy BL6 (Tracks)**. The policy only supports proposals to install, alter or extend tracks where the scale, alignment and proposed materials will not have an adverse impact on the landscape and special qualities of the National Park. Appropriate design, construction methods and materials are expected to reduce the visual impact of the track(s) on the wider landscape. The policy requires compelling evidence of the need for the track(s) to directly support an established agricultural or forestry use and that no existing roads or tracks are suitable to meet the identified need. The scale and nature of the track(s) is required to be commensurate with the proven need. Applicants are required to demonstrate that there will not be an unacceptable impact on any known historic or archaeological features and that works will not adversely affect ecological assets.

Discussion

Need

The repair and resurfacing works to a number of existing tracks along with the creation of new tracks around the Newgate Estate is required to facilitate access across the wider estate for agricultural and forestry purposes. However, the Authority is also aware that Newgate Farm benefits from historic shooting rights and that the tracks are also used in association with this. This is a large holding with significant woodland such that it is a mixed business of agriculture, forestry operations, and shooting, and there is a need to be able to access all areas of the estate.

Landscape impact – design, alignment, scale, materials

When the track works were first reported to the Authority, they had a detrimental visual impact on the immediate landscape of Highdales and Whisperdales although being located within these two dales, rather than in the more open moorland landscape, were not seen in wider landscape views but much more localised. Those existing tracks that had been resurfaced lost the softer appearance of a twin trod track and took on the appearance of new stone tracks. In particular the realigned and resurfaced track leading to Newgate Farm was particularly harmful as the land was regraded to either side and had not yet been re-seeded and the track was surfaced with road chippings.

However, the new tracks for the most part follow the routes of existing field boundaries and the contours of the land rather than cutting across open fields and landscapes. Furthermore, the surface of the new and resurfaced tracks has been scattered with grass seed such that the edges have now softened and in places a central strip of grass established, taking the form of traditional twin trods with grass between the wheelings. As such it is considered that any large scale remedial works to soften the impact of the work carried out would be detrimental and undo what has started to occur naturally.

The most unsightly part is the main track up to Newgate Farm which from Newgate Cottages has been repositioned away from Newgate Gill, widened, and resurfaced with road chippings. This track is also a public footpath and so the change of surfacing impacts on the enjoyment of the route; if it was a bridleway then the surfacing materials would be unsuitable for horse riders. However, works are ongoing at Newgate Farm and the surface is considered necessary for all the construction vehicles, although large vehicles are directed to use the access from Reasty Bank to avoid damage to the narrow lane from Hackness via Lowdales. As such it is proposed that the current surfacing is allowed to remain until such time as the construction works at Newgate Farm are complete after which the applicants will be required to remove the road chippings and replace with stone to match the rest of the tracks about the estate.

Impact on any known Archaeological or Ecological features

The works to the tracks have not adversely impacted on any known historic or archaeological features or adversely affect ecological assets.

Conclusion

It is extremely disappointing and frustrating that the works have been carried out without the necessary contents being sought which would have enabled the Authority to have some input on how the new tracks and repairs to existing tracks fit within the natural environment, particularly with regard to the public footpath through Highdales to Newgate Farm and the bridleway through Whisperdales which now look visually different as a result of a change to their surfaces. However as previously referred to, it is considered that any large scale remedial works to soften the impact of the work carried out would be detrimental and undo what has started to occur naturally; the tracks for the most part have taken on the form of traditional twin trods with grass between the wheelings. However, the road chippings to the main track to Newgates Farm are considered unacceptable as a long term surfacing and as such a condition is recommended that these are removed and the track resurfaced in stone as a twin trod track. As such approval of this retrospective application is recommended.

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

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

Contribution to Management Plan objectives

Approval is considered likely to help meet Objective 19 which seeks to maintain a strong and viable farming and land management community.

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

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