

North York Moors National Park Authority Planning Committee

19 November 2015

Miscellaneous Items

(a) **Appeals**

- (i) The Secretary of State for Communities and Local Government has determined the following appeals made to him against decisions of the Committee:-

Location of Site/Appellant	Decision (Inspector)
South Moor Farm, Langdale End, Scarborough, YO13 0LW	Decision: Appeal dismissed Inspector: G D Jones

Background Documents for This Item

1. Inspector's letter attached at **Appendix A**.

(b) **Planning Applications Determined by the Director of Planning**

A list of planning applications determined by the Director of Planning in accordance with the Scheme of Delegation is attached at **Appendix B**.

[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].

(c) **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 C**.

[The individual files will be available for Members to inspect at the meeting].

Andy Wilson
Chief Executive (National Park Officer)

Chris France
Director of Planning

Appeal Decision

Site visit made on 5 October 2015

by G D Jones BSc(Hons) DMS DipTP MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 19 October 2015

Appeal Ref: APP/W9500/W/15/3007950

South Moor Farm, Langdale End, Scarborough YO13 0LW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr R Walker against the decision of the North York Moors National Park.
 - The application Ref NYM/2014/0819/FL, dated 3 December 2014, was refused by notice dated 26 February 2015.
 - The development proposed is change of use of land for the formation of an airstrip including 2 grass runways, storage building and pilot/restroom facilities.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I note that the appellant's evidence indicates that the proposed storage building would have an area of only 175m². However, the proposed drawings indicate that this building would measure approximately 18.3m by 20.0m, which equates to some 366m². Accordingly, I have considered the proposals on this basis.

Application for costs

3. An application for costs was made by the North York Moors National Park against Mr R Walker. This application is the subject of a separate Decision.

Main Issues

4. The main issues are the effect of the proposed development on:
 - The character and appearance of the area;
 - The living conditions of local residents and the experience of visitors to the area, in terms of noise, disturbance and activity, as well as on public safety; and
 - The historic environment.

Reasons

5. The appeal must be determined in accordance with the development plan unless material considerations indicate otherwise. In my view the starting point in the determination of the current appeal is a previous Inspector's decision in respect to another appeal against the refusal of planning permission

at the current appeal site¹. For ease of reference I refer to that decision henceforth as the 'previous appeal'.

6. I have taken this position on the basis that the previous appeal decision was made only last year and concerned proposed development which is very similar to the current appeal development. The evidence indicates that the only significant difference between the current and previous appeal proposals is in respect to the siting, size and form of the proposed storage building. Accordingly, it is primarily for me to consider whether there have been any material changes in relevant planning considerations to justify a different conclusion to that made in respect to the previous appeal.

Character and Appearance

7. Two buildings are proposed. The first is a small shed-like structure that would be used as a flight planning/reporting office. The Authority has raised no concerns regarding this aspect of the proposals and nor did the Inspector in respect to the previous appeal. Given the very limited scale of this proposed structure, I have found no reason to disagree.
8. The other proposed building would be used to house and maintain aircraft. For ease of reference I shall refer to this structure as the proposed storage building. The development considered under the previous appeal differs from the current scheme in terms of the proposed storage building in regard to several significant aspects. The current scheme proposes a pitched roof rather than a mono-pitch, its footprint would be reasonably square in contrast to the more linear form of the previous scheme and the materials now proposed are more typical of agricultural buildings in the area. The building would also be sited adjacent to an existing small group of agricultural buildings, whereas the building previously proposed would have been located some 80m from these buildings.
9. Many of these revisions, in my view, represent an improvement on the previous scheme including the materials, roof form and siting of the building. Nonetheless, it would still be a large building with only a slightly smaller footprint compared to the storage building proposed under the previous appeal. While the eaves would be a little lower, the ridge height would be substantially greater than that of the previous scheme. For these reasons, combined with its reasonably elevated proposed siting, along with its proposed aviation use, I am not persuaded that this substantial structure would be perceived as an agricultural building, or that it would be visually assimilated into its sensitive rural context. Consequently, notwithstanding the identified improvements to the design and its proposed siting adjacent to existing buildings, the proposed storage building would be a reasonably prominent and awkward addition to the landscape of this part of Dalby Forest.
10. I recognise that the proposed use would offer some benefits, including in terms of potentially supporting the existing bed and breakfast use at the farmhouse and farm diversification in general, as well as in respect to supporting tourism in the area and the local economy. However, given the scale and kind of the proposed use, these benefits would be reasonably limited compared to the harm identified. In making this assessment I have borne in mind that the two purposes of National Parks are to conserve and enhance the natural beauty,

¹ Ref: APP/W9500/A/14/2212850

wildlife and cultural heritage of the area, and to promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public, and that where there is a conflict between the two purposes, greater weight should be attached to the conservation purpose.

11. For these reason, therefore, the proposed storage building would have a harmful effect on the character and appearance of the area. Consequently, in this regard, the appeal development would not accord with Development Policies 12 (Agriculture) and 13 (Rural Diversification) of the North Yorkshire Moors National Park Authority Local Development Framework – Core Strategy and Development Policies November 2008 (the LDF).

Living Conditions, Visitor Experience and Public Safety

12. The second of the main issues covers those matters identified in the Authority's first and third reasons for refusing planning permission. These are two of the same reasons that the Authority used when it refused planning permission for the development considered under the previous appeal. I have taken into account all of the information that has been submitted along with what I observed when I conducted my site visit and also borne in mind that the proposed development is very similar to that of the previous appeal.
13. Having done so, I have not found any significant changes in planning circumstances in regard to these matters since the previous appeal was determined. Nor have I found any other reasons that lead me to a different conclusion to that made by the previous Inspector in respect to the development's effect on living conditions, visitor experience and public safety as set out in paragraphs 4 to 12 of his decision letter.
14. On this basis therefore, in terms of noise and activity, the development currently proposed would not have a significant effect on the living conditions of local residents or the experience of visitors to the area, including users of public rights of way, or on public safety. Consequently, in these respects, there would be no undue conflict with Core Policies A (Delivering National Park Purposes and Sustainable Development) and H (Rural Economy) or Development Policies 3 (Design), 14 (Tourism and Recreation) and 23 (New Development and Transport) of the LDF.

The Historic Environment

15. The proposed development's effect on heritage assets did not form the basis for any of the reasons for refusal of the previous appeal development and nor was it identified as a main issue by the previous Inspector. However, since the previous appeal was determined there has been a significant change in the planning circumstances in that English Heritage objected to the current appeal proposals whereas it did not comment on the previous proposals. The evidence indicates that this was because English Heritage was not consulted on the previous proposals and consequently was unaware of the planning application and pursuant appeal.
16. The evidence indicates that English Heritage's only comments on the current appeal proposals are contained in a reasonably comprehensive letter to the Authority dated 6 January 2015. This letter concludes with the recommendation that the application should be withdrawn or refused. This is based, at least in part, on the lack of the necessary description of heritage

assets and significance as required by the Framework and that without proper assessment of the proposed development's effect on any heritage assets within the site and in the surrounding area, and given the significance of these assets and their proximity to the appeal site, *the proposal can be considered 'unjustified harm' to heritage assets.*

17. In response to the comments of the English Heritage, as part of the planning application process, the appellant submitted an assessment of the effect of the proposed development on designated and non-designated heritage assets, their setting and significance as prepared by Linda Smith and dated February 2015 (the Heritage Assessment). I have found nothing that leads me to believe that English Heritage or its successor, Historic England, has had the opportunity to re-assess the proposed development in light of the Heritage Assessment.
18. The Heritage Assessment identifies 13 designated heritage assets within 1km of the appeal site, all of which are scheduled ancient monuments, as well as several undesignated heritage assets. From the information before me, I have found no reason to believe that there are any other known heritage assets within or in the vicinity of the appeal site. Nor have I found any reason to disagree with the assessment of the significance of these heritage assets as set out in the Heritage Assessment.
19. As part of the appeal process I asked the Authority to identify those heritage assets which it considers would be affected by the appeal development and to provide details of these. In response I have been provided with List Entries for three scheduled ancient monuments (SAMs), all of which are identified and considered in the Heritage Assessment. These are: embanked pit alignments, linear earthworks, round barrows and cairns on Ebberston Low Moor, List Entry No. 1019601; round barrow cemetery (including the barrows known as Three Howes) 220m and 360m north west of South Moor Farm, List Entry No 1019936; and prehistoric linear boundary known as Snainton Dykes, 740m east of Ebberston Common House, List Entry No. 1020299.
20. Based on the information before me and having visited the area, I broadly agree with the assessment of the significance of these three SAMs as set out in the Heritage Assessment. In summary these are:
 - 1019601 – the significance of this important group of embanked pit alignments, linear earthworks, round barrows and cairns located a little to the south of the appeal site on Ebberston Low Moor, lies in their preservation, which includes the extant upgrading earthworks of a Bronze Age pit alignment flanked by banks, and for the complexity of different archaeological features in close proximity;
 - 1019936 – the significance of this round barrow cemetery, containing the remains of seven barrows and located a little to the north of the appeal site, lies in its density which is unusual for this part of the moors where scattered individual barrows and small groups of twos and three predominate; and
 - 1020299 – the significance of this prehistoric linear boundary, which bounds the plateau to the south east of the appeal site, like the neighbouring ancient monument No 1019601, lies in its preservation and the complexity of different neighbouring archaeological features in close proximity.
21. Given the local topography and the proximity of these three SAMs to the appeal site, the proposed development would lie within the setting of all

three heritage assets. Nonetheless, I broadly agree with the *conclusions, impacts and mitigations* identified in the Heritage Assessment, which I note are not directly challenged by the Authority. On this basis, subject to appropriate mitigation, including in respect to potential on-site archaeological features, which could be secured via planning conditions, the proposed development would conserve or enhance the historic environment. Consequently, in his regard, the proposed development would not conflict with Development Policy 7 (Archaeological Assets) of the LDF or with the Framework.

Other Matters

22. In assessing the appeal development I have taken into account the evidence that the site could be used for aviation purposes for 28 days per year without the need for planning permission. I give this fallback option some weight. However, that weight is limited given that 28 days is a relatively small proportion of the year and that the proposed building, which I have found would be harmful, would be permanent.
23. As part of and, where appropriate, in addition to the considerations set out above, I have taken into account all of the submissions made to the Authority as part of the planning application consultation and those made in response to the appeal. However these have not led me to any different overall conclusion. The evidence also refers to development and planning decisions made in respect to the other proposals. Nonetheless, each proposal falls to be assessed primarily on its own merits and, in any event, I am unaware of the full circumstances associated with any of those other cases.

Conclusion

24. For all of the reasons given above, I conclude that the appeal should be dismissed.

G D Jones

INSPECTOR

List of Planning Applications Determined by the Director of Planning
for the Period from 09/10/2015 to 02/11/2015
in the Following Order and then by District:
Delegated Planning Applications;
Post Committee Applications;
on Expiration of Advertisement;
on Receipt of Amended Plans and Further Observations;
Approval of Conditions;
Applications Adjacent to the Park (3024);
Notifications Under Schedule 2, Part 6, of
The Town & Country Planning (General Permitted Development) Order 2015

Please note that the decision notice for each of the Authority's applications listed in this report can be found by searching the [Planning Explorer](#) on the Authority's website and using the application number.

NYM/2013/0793/FL	Approved construction of garage and store following demolition of outbuilding at Church Farm, Church Lane, Swainby for Mr Billy Maguire	09/10/2015
NYM/2015/0414/FL	Approved variation of condition 2 (material amendment) to planning approval NYM/2014/0527/FL (allowed on appeal) to allow the removal of weather stones from both gables, and increase in new gable ridge height at Rose Cottage, Bank Lane, Faceby for Mr Alun Pearson	15/10/2015
NYM/2015/0583/FL	Approved construction of single storey side extension at The Lonning, Chop Gate for Mr Wermold	14/10/2015
NYM/2015/0589/LB	Refused Listed Building consent for installation of 'like for like' replacement windows with double glazed units to front elevation at Old Rose Cottage, Carlton in Cleveland for Mr Tony Wilkinson	27/10/2015
NYM/2015/0610/FL	Approved construction of single and two storey extensions following demolition of existing garage and outbuildings at White House, Carlton in Cleveland for Mr & Mrs J Brown	30/10/2015
NYM/2015/0653/FL	Approved construction of single storey rear extension at The Cleaves, Ingleby Greenhow for Mr Keith Smith	26/10/2015
NYM/2014/0605/FL	Approved installation of replacement timber front door at Pickwick Cottage, High Street, Thornton Le Dale for Mr Mark Carmichael	14/10/2015
NYM/2015/0392/FL	Approved conversion of and extension to barn to form residential annexe accommodation/holiday letting cottage at Thompson Rigg Farm, Crosscliffe, Langdale End for Mr and Mrs Prole	23/10/2015

NYM/2015/0521/FL	Approved	19/10/2015	construction of replacement wildlife hide, improvement works to access path and car parking area together with creation of temporary access road at land to the west of Kale Pot Hole, Newtondale, Stape (481262, 493083) for Forestry Commission
NYM/2015/0586/FL	Approved	27/10/2015	erection of a 28 metre mast with 6 no. antenna, 2 no. dishes, 3 no. RRUs and 9 no. MHAs together with associated ground based equipment cabinets and timber fenced compound at land north west of Little Field Lane, Levisham (482846, 590678) for Arqiva
NYM/2015/0599/FL	Approved	27/10/2015	alterations and construction of extensions together with relocation of footbridge at Tylas Cottage, Tylas Farm, Old Byland for Mr Joe & Gran Holmes
NYM/2015/0600/FL	Approved	21/10/2015	installation of replacement double glazed powder coated aluminium windows, replacement slate roof with solar panels together with replacement sewage treatment plant and erection of greenhouse at The Orange Tree, Daleside Road, Rosedale East for Mr Edward Harpin
NYM/2015/0603/FL	Approved	02/11/2015	improvement works to access road at Ampleforth Top Road, near Ampleforth College, Ampleforth for Stevenson Calam Associates
NYM/2015/0605/LB	Granted	21/10/2015	variation of condition 2 of Listed Building consent NYM2015/0055/LB to allow the insertion of additional garage door to create double garage at land to rear of Brookfield, Maltongate, Thornton Dale for Mr G Forster
NYM/2015/0609/FL	Approved	28/10/2015	construction of single storey side extension at Lowna, Hambleton Lane, Wass for Mr & Mrs M Burn
NYM/2015/0648/NM	Approved	13/10/2015	non material amendment to planning approval NYM/2013/0649/FL to allow installation of first floor window to side (garden elevation) (plot 15 only) at land to the north of Linkfoot Lane, Helmsley for Wharfedale Homes
NYM/2014/0820/LB	Granted	14/10/2015	Listed Building consent for installation of 3 no. replacement single glazed timber windows to gable elevation at Cliff Head, Chapel Street, Robin Hoods Bay for Mr and Mrs J Huitson
NYM/2015/0535/CLE	Issued	13/10/2015	Certificate of lawfulness for the use of land for the siting of 1 no. caravan for recreational/holiday purposes at paddock to the south of Wyke Lodge, Hodgson Hill, Staintondale for Mr Keith Dobbie

NYM/2015/0542/FL	Approved construction of single storey side extension at Hart Leap, Glaisdale for Mr Ian Greenwood	09/10/2015
NYM/2015/0549/FL	Approved erection of summerhouse at Wheelhouse Cottage, Newholm for Mr Robert Cameron	23/10/2015
NYM/2015/0569/FL	Approved construction of 1 no. local occupancy dwelling with associated access, parking and amenity space following demolition of existing outbuildings at 1 Sunny Row, Port Mulgrave for Mr D Edmund	16/10/2015
NYM/2015/0597/FL	Approved construction of single and two storey extensions and 2 no. dormer windows following demolition of existing garage and outbuilding at 9 Porret Lane, Hinderwell for Mr and Mrs A Highwood	13/10/2015
NYM/2015/0602/FL	Refused removal of condition 1 of planning approval NYM/2004/0465/FL to allow the occupancy of the dwelling to be unrestricted at Seavegate Farm, Moor Lane, East Ayton for Mr Paul Millinder	22/10/2015
NYM/2015/0623/FL	Approved construction of single storey extension following demolition of conservatory at 4 Rosehill, Hinderwell for Ms B Knaggs	29/10/2015
NYM/2015/0625/FL	Approved variation of condition 1 of planning approval NYM/2014/0454/FL to allow an extended temporary timeframe at Doves Nest Farm, Sneaton for York Potash Ltd	23/10/2015
NYM/2015/0627/FL	Approved with construction of conservatory extension at Dunholme, Raven Hall Road, Ravenscar for Mr & Mrs A T Kearsley	27/10/2015
NYM/2015/0631/FL	Approved construction of replacement toilet block at White Hart Inn, 19 The Lane, Mickleby for Mr Alan Welford	27/10/2015
NYM/2015/0647/NM	Approved non material amendment to planning approval NYM/2011/0839/FL to allow a change to the turbine head gear at Millinder House, Westerdale for Mrs Hopkins	14/10/2015
NYM/2015/0656/NM	Approved non material amendment to planning approval NYM/2014/0415/FL to allow the relocation and alterations to fenestration of approved garage at 2a Anglers Quarters, Glaisdale for Mr Robert Sedman	19/10/2015

NYM/2015/0674/NM Approved 16/10/2015
non material amendment to planning approval
NYM/2015/0290/FL to allow an increase in depth of approved
extension by 225mm at 24 Park Lane, Easington for Mr Les
Greening

Notifications

NYM/2015/0632/AGRP Approved 28/10/2015
erection of lean-to extension for agricultural storage at Whorlton
House Farm, Whorlton for Mr Alistair Wright

Applications Determined by the Director of Planning on Expiry of Advertisement, Receipt of Further Amended Plans and Observations

NYM/2014/0676/MEIA Application for the winning and working of polyhalite by underground methods including the construction of a minehead at Dove's Nest Farm involving access, maintenance and ventilation shafts, the landforming of associated spoil, the construction of buildings, access roads, car parking and helicopter landing site, attenuation ponds, landscaping, restoration and aftercare and associated works. In addition, the construction of an underground tunnel between Doves Nest Farm and land at Wilton that links to the mine below ground, comprising 1 no. shaft at Doves Nest Farm, 3 no. intermediate access shaft sites, each with associated landforming of associated spoil, the construction of buildings, access roads and car parking, landscaping, restoration and aftercare, and the construction of a tunnel portal at Wilton comprising buildings, landforming of spoil and associated works at Dove's Nest Farm & Haxby Plantation, Sneatonthorpe(proposed minehead); underneath 252 sq km of the NYMNPA(winning & working of minerals); a corridor extending underground from the edge of the NP boundary to Wilton International Complex(mineral transport system); Lady Cross Plantation near Egton, Lockwood Beck Farm near Moorsholm, Tocketts Lythe, near Guisborough(intermediate shaft sites); site within the eastern limits of the Wilton International Complex, Teesside(tunnel portal)

At the Special Planning Committee meeting held on 30 June 2015 Members resolved to delegate approval of the application to the Director of Planning subject to a number of matters being resolved. An update on each of these is as follows:

1. Planning conditions - The final draft (Version 25) was prepared by Savills and circulated to statutory consultees with a request for any comments to be sent by 2 October 2015. Comments were received from all. V27 has now been drafted in accordance with Members' resolution and conditions have been clarified and, where necessary, extended to ensure that the mitigation measures on which Members based their decision are secured, particularly regarding the Habitats Regulations Assessment for the scheme.

There were some last minute issues raised by the company regarding soil moving and outfall discharge rate and some flexibility has been written into the relevant conditions to deal with subsequent agreement on modest revisions to the relevant conditions if required.

2. North York Moors National Park Authority Section 106 Agreement – final details have now been resolved. The Agreement secures both the mitigation and off-site compensation measures that were outlined in the Committee report; it includes security for payments by provision for there to be funds in an Escrow account at all times during the Construction and Post Construction Periods to cover 10 years' worth of the Management Plan, Core Policy D and Tourism Contributions, as specifically requested by Members. The necessary land registry plans and bridleway plan are attached to the Agreement.
3. North Yorkshire County Council Section 106 Agreement - this is signed and completed to co-ordinate with the North York Moors National Park Authority Section 106.
4. A Fault Activation Risk report has been submitted by the applicant in connection with the proposed reinjection well at Dove's Nest Farm. Amec Foster Wheeler's review of the report confirmed that any adverse impacts would not be significant in EIA terms but recommended a planning condition to ensure that the rock formation pressures do not exceed 450 psi above the initial formation pressure. This requirement is included within condition 87;
5. Revised drawings for the mine buildings have been submitted which improve the design by introducing more variety to the elevations and incorporating overhanging eaves. Timber cladding will be used instead of metal sheeting which will improve the overall appearance of the group of buildings;
6. A BREEAM review report has been submitted for the Welfare Building which enables us to have confidence that a 'Very Good' rating is possible. Planning condition 75 requires the 'Very Good' rating to be achieved and BREEAM certificates to be provided to confirm the rating.
7. A new Extension of Time Agreement was negotiated with York Potash which expires at the end of today. Invoices for the consultant and officer work York Potash agreed to pay were sent out and the monies have been paid to Nabarro and the monies will be released on receipt of the decision notice.

As the Redcar & Cleveland Borough Council & North Yorkshire County Council & North York Moors National Park Authority Section 106 Agreements have now been signed, the application has now been determined.

To view the final Decision Notice [click here](#)

To view the final Section 106 Agreement [click here](#)

NYM/2015/0496/FL

conversion of and lean-to extension to disused timber bungalow to form agricultural store at Old Rye Kennels Bungalow, Peak Scar Road, Hawnby

The application has been approved with the following additional conditions relating to external storage and programme of works to mitigate the impact of the development on the bats:

7. GAS02 No storage of materials, machinery, vehicles, waste or other items shall take place outside the building(s) on the site without the prior written agreement of the Local Planning Authority.
8. MISC0 No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on the bats at the site have been submitted to and approved in writing by the Local Planning Authority. The programme shall include a written scheme of mitigation measures. The work shall not be carried out otherwise than in accordance with the details so approved.

NYM/2015/0587/FL

erection of a 25 metre mast with 6 no. antenna, 2 no. dishes, 3 no. RRUs and 9 no. MHAs together with associated ground based equipment cabinets and timber fenced compound

The planning application was refused by the Planning Committee on 20 August 2015, contrary to Officer recommendation. The basis of the refusal was that Members, having heard there was an overwhelming local community concern over the landscape impact, considered that the landscape impact, taking into account the 25m height and cumulative impact from the approved Hutton le Hole mast was unacceptable. As such the application has now been refused for the following reason:

The scale, height and design of the development would not be appropriate to its National Park setting and would have an unacceptable adverse visual impact upon the character of the locality and the wider landscape and thereby fail to accord with the provisions of Development Policy 25 of the adopted North York Moors Core Strategy and Development policies document November 2008. In reaching the above assessment the Authority was mindful of the importance of 'localism' in the planning process and particularly the aims of the MIP scheme which seeks community support. In this instance the views of a majority of the local community who commented, stated that the scheme was not an acceptable balance between landscape impact and communications benefits together with the additional cumulative visual impact with the close-by approved Hutton le Hole 15m MIP mast and its overlapping coverage.

Applications Adjacent to the National Park (3024)

15/02040/FUL	<p>installation of 960 ground mounted PV panels at Oulston Hall Farm, Oulston</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections</p>
15/01163/FUL	<p>demolition of Ravenswick Hall and erection of replacement 10 bedroom country house and associated development at Swineherd Lane, Kirkbymoorside</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections</p>
15/01162/FUL	<p>rebuilding and extension of existing derelict barn at Barn Folly, east of Ravenswick, Swineherd Lane, Kirkbymoorside</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections</p>
15/00888/FUL	<p>erection of detached reception building at Friars Hill Riding Stables, Sinnington</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections</p>
15/00875/FUL	<p>erection of a 20m high lattice shared communications mast at land south of A170 Sinnington</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections, subject to the landscaping scheme including semi-mature tree planting to enhance the setting of the mast.</p>
R/2015/0596/OO	<p>outline application for demolition of existing bungalow and replace with 1 detached dwellinghouse at Kopaness, The Green, Newton under Roseberry</p> <p>The Authority has assessed the details of the proposed development and has made the following comments:</p> <p>No objections</p>

NY/2015/0233/ENV

To hydraulically stimulate and test the various geological formations previously identified during the 2013 KM8 drilling operation, followed by the production of gas from one or more of these formations into the existing production facilities. Followed by wellsite restoration. Plant and machinery to be used includes a workover rig (maximum height 37m) hydraulic fracture equipment, coil tubing unit, wireline unit, well testing equipment, high pressure flowline, temporary flowline pipe supports, permanent high pressure flowline and permanent pipe supports at KMA wellsite, Alma Farm, off Habton Road, Kirby Misperton

The Authority has made the following comments:

The North York Moors National Park Authority would wish to have it formally confirmed that no part of the lateral horizontal drilling would take place underneath the North York Moors National Park as such an engineering operation under land within the National Park would require planning permission from this Authority. In order to protect National Park communities from the associated traffic disturbance from the HGV traffic set out in chapter 6 of the Planning Statement and Traffic and Transport chapter 20 of the Environmental Impact Statement, we would ask that planning conditions be imposed on any approval to require HGV movements from the A169 to be routed south via the trunk road network. In addition the Authority would ask the County Council to exercise due diligence to ensure the evidence in chapter 18 of the Environmental statement dealing with seismicity and within the Hydrogeological Risk Assessment at appendix 20 of the Environmental statement robustly support the statements (Including para 8.3 in the Planning Statement) that the development would not be likely to result in fault activation that could result in distant land stability or pollution events which would affect the North York Moors Special Protection Area/Special Area of Conservation/Site of Special Scientific Interest.

Background Documents to this report

1. Signed reports - dates as given
2. Signed letter - dates as given

File Ref:

3022/1
3024/1

Location

North York Moors National Park Authority
The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

**List of Enforcement Matters Determined
By The Director of Planning**

For the Period: 26 September – 29 October 2015

File No.	Development Description and Site Address	Decision Taken
ENQ/2015/11417	Replacement of timber storm proof casement windows with timber Yorkshire sliding sash windows. Chimes Cottage, Coxwold	No further action, as the replacement timber windows would meet with the local plan policies and design guide.
ENF155/2009	Construction of a new track for access to undertake drainage works on land between Hasty Bank Farm and Garford Farm, Bilsdale	No further action, the access was formed in order to undertake drainage works to improve the land. Although the track remains the land has recovered such that the harm caused initially by the tracks is limited. Furthermore, the development is immune from enforcement action.
ENF164/2009	Works to track on land at Cold Moor Cote Farm	No Further action, the track works undertaken were considered not to accord with permitted development. The land owner subsequently applied for planning permission for the track works and permission has since been granted for improvements and up grading of the stoned track to enable access by agricultural vehicles.

Chimes Cottage, Coxwold



February 2014



June 2015