

North York Moors National Park Authority

Hambleton District Parish: Boltby	App No. NYM/2019/0022/FL
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Proposal: erection of pergola

Location: High Paradise Farm, High Paradise Walkers Tearoom, Boltby,

Applicant: Miss Virginia Kate Skilbeck, High Paradise Farm, Boltby, Thirsk
YO7 2HT

Date for Decision: 29 March 2019

Grid Ref: 450331 488758

Director of Planning's Recommendation

Approval subject to the following conditions:

1.	TIME01	Standard Three Year Commencement Date
2.	PLAN02	Strict Accordance With the Plans/Specifications or Minor Variations
3.	RSU000	The tea room courtyard and the timber pergola hereby permitted shall not be used to hold more than 10 weddings in any one year and no more than 28 events in total in any one year. Any covering of the timber pergola shall not take place more than 48 hours ahead of any event and shall be removed within 48 hours of the event finishing.



North York Moors National Park
Authority
The Old Vicarage
Bondgate
Helmsley YO62 5BP
01439 772700

Application Number: NYM/2019/0022/FL

Scale: 1:2500



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Consultations

Parish – No objection but express concern that the emphasis is changing from a tea room for walkers and people staying at High Paradise to an event venue for people travelling by car. Concerned about the intensification of use.

Ward –

Highways – Express concerns with regard to the narrowness of the highway network leading to the site. There are very few opportunities for vehicles to pass and concern is raised with regard to traffic generation associated with the proposal. It is understood the tearoom currently attracts mainly walkers, cyclists and horse riders. The addition of an area to hold events will attract increased vehicle movements and consequently recommends refusal for the following reasons: The Local Planning Authority considers that the roads leading to the site are by reason of their insufficient widths and lack of formal passing places considered unsuitable for the traffic which would be likely to be generated by this proposal.

Environmental Health Officer – No objection on grounds of amenity or nuisance.

Natural England –

Ministry of Defence – No safeguarding objection.

Forestry Commission –

Police Designing Out Crime Officer –

Site Notice Expiry Date – 13 March 2019

Background

High Paradise Farm occupies an isolated position on top of the Hambleton Hills adjacent the Cleveland Way to the northeast of Boltby village. It comprises the farmhouse and a range of attached single storey buildings which have been converted over the years into separate dwellings and holiday accommodation although they all remain in the same ownership. There is a very complex planning history associated with the site.

Historically there has been a 'tea stop' for walkers at High Paradise Farm but this ceased some 15-20 years. In addition, camping for Duke of Edinburgh groups, school groups and walkers has historically been offered at the farm and this has largely complied with permitted development rights for such uses.

Temporary planning permission for two years was granted in June 2015 for use of part of the main dwelling and the courtyard as a Tea Room and the field to the north for camping. In support of that application the applicant indicated that the facilities would primarily be for the benefit of walkers, cyclists and horse riders and customers by car would be discouraged. The temporary permission was to enable the impact on the local highway network to be assessed. Subsequently in July 2017 full planning permission was granted for the Tea Room and camping field on the basis that the business had been operating successfully without any known traffic problems or adverse impact on the surrounding highway network. Indeed the Tea Room is very much promoted as only being accessible by foot, bike or horse and access by car is actively discouraged.

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Background continued

More recently the applicant has held marquee weddings, birthday parties and evening functions such as dark night sky events under the 28 day rule afforded by the Town and Country Planning (General Permitted Development) Order 2015. However rather than continually hire a marquee for such events the owner wishes to erect a timber pergola within the courtyard at High Paradise which can be covered as required with a transparent tarpaulin to provide a weather proof area. The timber pergola would encompass the entire courtyard (13.5 metres by 18 metres) with an average eaves height of 2.5 metres rising to 4 metres in the centre of the courtyard.

Main Issues**Policy**

The relevant policies of the adopted Core Strategy and Development Policies Document are Core Policy G (Landscape, design and Historic Assets), Core Policy H (Rural Economy), Development Policy 3 (Design) and Development Policy 14 (Tourism and Recreation).

Core Policy G aims to conserve and enhance the landscape, historic assets and cultural heritage of the Park and seeks high quality sustainable design which conserves and enhances the landscape setting, settlement layout and building characteristics of the landscape of the Park.

Core Policy H seeks to strengthen the rural economy by supporting opportunities for farm diversification and sustainable tourism development related to the understanding and enjoyment of the Park.

Development Policy 3 requires a high standard of design detailing whether traditional or contemporary which reflects or complements that of the local vernacular.

Development Policy 14 supports the expansion of existing tourism businesses where the proposal provides opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the Park in a manner that will not undermine its special qualities. It requires the development to be satisfactorily accessed from the road network or by other sustainable modes of transport including public transport, walking, cycling or horse riding, and to not generate an increased level of activity, including noise, which would detract from the experience of visitors and the quality of life of local residents.

Principle

The applicant presently offers Bed and Breakfast and self-catering accommodation at High Paradise Farm, along with a camp site primarily aimed at those walking the Cleveland Way seeking an overnight stop rather than week-long holiday makers and a popular Tea Room providing refreshment facilities for walkers, cyclists and horse riders in the area, particularly those on the Cleveland Way or biking the 'Paradise Loop Trail' from Sutton Bank.

The provision of a timber pergola within the courtyard that can be covered as required to provide a weather proof area in which to hold events such as weddings would help this rural tourism business to expand and diversify. The applicant has indicated that no more than ten weddings would be held in any one year and that the total number of events held each year would not exceed 28 in line with current permitted development limits. This would be a condition requirement of any permission. It is considered that the structure would help provide further opportunities for visitors to enjoy the special qualities of the Park and that the anticipated level nature of activity would not have an adverse impact on the special qualities of this part of the Park in line with Core Policy H and Development Policy 14.

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Visual Impact

The timber pergola would encompass the entire courtyard and when covered would obscure the existing attractive range of traditional buildings. Officers are concerned that this could detract from the character and appearance of the courtyard at High Paradise. However the applicant intends to plant climbing shrubs to help soften the impact of the structure and the intention is that it will not be left permanently covered. The buildings at High Paradise are not listed though they do represent non-designated heritage assets. However, the courtyard now has more of a domesticated character and the original agricultural feel has been replaced by the change of use to tearoom with surfacing and outdoor furniture. The timber pergola will be contained within the courtyard and screened from wider views by the existing buildings; until entering the courtyard through the archway the timber pergola will not be visible and as such it will have no wider landscape impact. It is therefore considered to have less impact on the landscape of the Park than a marquee sited in the field to the front of the property, which is the applicant's current means of accommodating functions. As such the proposal is considered to satisfy Core Policy G and Development Policy 3.

Highway Safety

Officers appreciate the concerns expressed by the Parish Council and the Highway Authority. The business operates successfully at present with no known traffic problems or adverse impact on the highway network but the road leading to the site is narrow with very few opportunities for vehicles to pass such that any intensification of use that gives rise to additional vehicular traffic attracted to the property could have a detrimental impact on the highway network and cause problems for other local residents who use the lane to access their property.

However the applicant has indicated that there will be no more than 10 weddings held each year with no more than 28 events in total in any one year which is in line with what can currently be undertaken by implementing permitted development rights under the Town and Country Planning (General Permitted Development) Order 2015 in respect of temporary buildings and uses. As the proposed events will typically have set start and finish times it is anticipated that any traffic generated by the events will be arriving and leaving at a similar time to avoid congestion on the access lane. The applicant has indicated that they will continue to promote access by sustainable modes of transport and that functions with large numbers of guest will be asked to where possible travel in by minibus to limit the number of vehicles to the site.

It is therefore considered that whilst the timber pergola will facilitate an intensification of use of the Tea Room and courtyard at High Paradise this will be comparable with what the applicant can currently undertake using permitted development rights given the applicants proposed limited number of events which can be controlled by condition. As such it would be unreasonable to refuse this proposal on the grounds of an intensification of use. The economic benefits arising from the proposal are also significant planning considerations and will help to increase the viability of this important existing tourism facility.

Conclusion

This proposal for a timber pergola will provide a reversible weather proof area to enable the applicant to hold functions as part of an expansion of their current tourism business. The timber pergola would detract to some extent from the character and appearance of the courtyard but as these buildings are not listed nor lie within a Conservation Area, and the fact that the courtyard is hidden from public view behind the existing buildings, it is not considered that the timber pergola would have an adverse impact on the wider landscape of

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Main Issues continued

the Park. As such the proposal is considered to comply with Core Policies G and H and Development Policies 3 and 14 of the Core Strategy and Development Policies Document and approval is recommended.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy B4 which seeks to improve the quality and variety of tourism and recreation facilities and accommodation within the Park.

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.