

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Cloughton

Application No. NYM/2019/0622/FL

Proposal: Variation of condition 1 (material amendment) of planning approval NYM/2018/0806 to allow revised design including omission of rooflights on north west facing roofslope and increased footprint of the store/multi-use shed in order to house cattle

Location: Fields Farm, Station Lane, Cloughton

Decision Date: 11 December 2019

Consultations

Parish – 19/10/2019 - No objections

Natural England – 11/10/2019 - No comment

Advertisement Expiry Date – 16 October 2019

Others –

Dr JA Brace, Whin Brow, Hood Lane, Cloughton – 8/10/2019 – I note that the revised plan has no roof light on the north facing roof and therefore have no objections.

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Director of Planning's Recommendation

Approval subject to the following condition(s):

1. Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified

The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Proposed plans and elevations stables	1005263/17E	7 September 2015
Proposed plans and elevations cattle shed	1005263/13F	25 September 2015
Proposed plans and elevations workshop shed	1005263/15G	7 August 2015
Proposed plans and elevations General produce shed	1005263/14G	7 August 2015
Proposed plans and elevations cattle shed/ implement shed	----	30 September 2019
Proposed site plan	1005263/14G	7 August 2019
Proposed site for cattle shed	1005262/12 E1	5 September 2019
Proposed planting scheme	---	01 April 2019
Tilhill Forestry Screen planting scheme	---	01 April 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

2. Agriculture/Forestry Occupancy Condition
The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.

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4. **External Lighting - Submit Details**
No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
5. All new stonework and roofing tiles used in the development hereby permitted shall match as closely as possible to those of the existing building, including the colour and texture of the stone and the method of coursing and pointing.
6. The external surface of the roof of the agricultural buildings hereby permitted shall be coloured and thereafter maintained dark grey or as may otherwise be agreed in writing by the Local Planning Authority.
7. All windows and doors shall be coloured and finished in accordance with the details approved by the Local Planning Authority under NYM/20215/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
8. Any replacement or new windows installed in the development hereby approved shall accord with the details approved by the Local Planning Authority under NYM/20215/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
9. All windows and doors shall be coloured and finished in accordance with the details approved by the Local Planning Authority under NYM/20215/0169/CVC and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
10. **Guttering Fixed by Gutter Spikes**
The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11. **Black Coloured Rainwater Goods**
The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12. All hard and soft landscape works comprised in the approved details of landscaping referred to in Condition 1 above shall be carried out no later than the first planting and seeding seasons following the date of this planning permission, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition 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 current or next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
13. For the first five years after the wind turbine is brought into use the development hereby permitted shall be carried out in accordance with the mitigation measures set out in Paragraphs 9.1 (Barn Owls) and 9.2 (Bats) of the submitted ecology survey dated 5 January 2010 prepared by John Drewett (updated on 13 March 2013).

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14. Following a period of five years after the date of this permission, the turbine hereby approved shall only be in operation between the hours of 6am and 8pm on any day during the months of April through to October, and any time during the months of November through to the end of March unless a monitoring report by a bat surveyor has demonstrated adequately that no bats are flying in the vicinity of the turbine. A second survey should be undertaken ten years after the date of this permission and if there is no evidence of bats flying in the vicinity of the turbine, the turbine can operate without restriction thereafter.

Reason(s) for Condition(s)

1. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
2. The site of the proposed dwelling is in an area where NYM Core Policies B and J and Planning Policy Statement 7 seek to restrict new residential development to that which is essential to the needs of local agriculture.
3. In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
4. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
6. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
7. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
9. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
10. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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11. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded
12. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
13. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
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**Background**

This application relates to the development of a new farmstead on the edge of Cloughton, following the planned redevelopment of the original farmstead within the centre of the village, to help meet the housing provision figures for Scarborough Borough Council.

The scheme is now substantially complete, albeit not all of the agricultural buildings have been constructed yet.

This application seeks consent for a revised footprint and use of the of the implement store to the rear of the buildings already constructed.

The scheme has been amended during consideration of this application, to remove all the roof lights on the north facing roof slope, which faces towards Hood Lane, where there have previously been issues of glare from roof lights on the existing buildings.

The ridge height of the building would remain unchanged from the previous permission, being 9.1m in height. The originally approved building measured 36.5m long x 28.7m long, a subsequent revision reduced its footprint to 18.5m wide x 24.8m long and the current proposals increase the footprint to 25m wide by 48.8m long, so narrower but longer than the original approval..

The revised internal design would allow for 720m sq m cattle lying area with the rest as feeding passage and two bays at the east side for storage.

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All the cattle will be bedded on straw with the waste produced stored on fields where it will be spread. The applicant currently has 380 Ha available for spreading and it is proposed to increase cattle numbers to around 250 in total,.

Main Issues

Core Policy A of the Local Development Framework seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the quality of life of local residents and supports the character of a settlement.

The principle of this development has already been accepted through the previous and extant planning permissions.

This application seeks permission to increase the footprint of the one building not yet constructed and to re-locate roof lights to the south roof slope, removing any from the north facing roofslope. The height of the building will remain unchanged.

The Authority's Ecologist originally expressed concerns that the changes proposed, altering this shed from a machinery store to a cattle shed would have potential impacts of this on air quality. However, with the submission of additional information, Natural England confirmed that they have no objections.

In addition, one interested party who can view the development from their property on Hood Lane, who has previously expressed concerns about this development has confirmed that they have no objections to this proposed revision.

It is not considered that the revised footprint would have a greater impact on the character of the locality than the existing development and the relocation of roof lights would represent an improvement. The development will be screened in the longer term when the approved landscape scheme becomes established over the next decade.

In view the above, it is considered that the proposal broadly accords with the National Park's adopted planning Policies and there have been no material changes in circumstances since the previous approval and consequently approval is recommended.

Draft Local Plan

Policy BL5 of the Draft Local plan relates to the development of new agricultural buildings and seeks to ensure new development is physically related to an existing farmstead and of appropriate size and scale. The proposal is considered to accord with this, although at this stage the Policy cannot be given great weight.

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Pre-commencement Conditions

N/A

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (Amendments Requested and Received)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including revised location of rooflights, so as to deliver sustainable development.