

North York Moors National Park Authority

Hambleton District Parish: Great Ayton	App No. NYM/2018/0732/FL
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Proposal: conversion of and extension to stable building to form cycle hire shop and cafe at ground floor and 2 no. holiday letting units at first floor, construction of plant room/store together with alterations to access, provision of parking and landscaping works

Location: 20 Dikes Lane, Great Ayton,

Applicant: Mr & Mrs Mark Pearson, 20 Dikes Lane, Great Ayton, TS9 6HJ

Agent: Alan Vandome, 1 College Square, Stokesley, TS9 5DL

Date for Decision: 27 March 2019

Grid Ref: 458326 511119

Director of Planning's Recommendation

Approval subject to the following conditions and a Section 106 Agreement requiring an ongoing contribution to public route maintenance and repair in the area and also the requirement for scheme of signage to restrict parking on the road outside the site:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. RSU000 The area of the building hereby approved to be used as a café (Use Class A3) shall not be extended beyond the area marked as café on the Proposed Ground Floor Plan S17.24 (00)3 and shall not be used for any other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
4. RSU000 The area of the building hereby approved to be used as a cycle hire shop (Use Class A1) shall not be extended beyond the area marked as a cycle hire shop on the Proposed Ground Floor Plan S17.24 (00)3 and shall not be used for any other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 2005, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.
5. RSU000 Sales from the cycle hire shop area hereby approved shall be limited to ancillary retail sales associated with cycling unless otherwise agreed in writing with the Local Planning Authority.
6. RUU011 Use as Holiday Accommodation Only - Outside Villages
7. RSU000 The holiday units hereby permitted shall form and remain part of the curtilage of the cycle hire business and cafe below and shall not be sold or leased off from the main business or let off except as holiday accommodation in accordance with the terms of Condition 6 above without a further grant of planning permission from the Local Planning Authority.

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Conditions continued

8. GACS00 The café and shop hereby permitted shall not be open to customers outside the hours of 8am to 8pm on any day between April to September and 8am to 6pm on any day between the months of October and March inclusive. Outside of these times no food or drinks shall be served for consumption on or off the premises and the outside seating area shall not be used for any purpose. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
9. GACS00 No external lighting above the details submitted in the lighting report by Ansell Lighting (Project Number : QUO-20263-P9R8M3) received at the National Park on the 12 July 2019 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.
10. MATS00 The details of the roof materials to the buildings hereby approved shall be submitted to the Local Planning Authority for approval in writing prior to works beginning on each individual building.
11. MATS28 Timber Cladding Samples
12. MATS47 Window Frames in Reveals - Specify Set Back (60mm)
13. MISC00 Prior to any works beginning on site to implement the approval hereby granted a schedule of works shall be agreed in writing with the Local Planning Authority which ensures that the proposed Bore Hole is installed and is fully operational to serve the site from the building phase onwards.
14. HWAY06 Discharge of Surface Water
15. HWAY10 Visibility Splays
16. HWAY14A Details of Access, Turning and Parking
17. HWAY14B Provision of Approved Access, Turning and Parking Areas
18. HWAY15 Parking Spaces to Remain Available for Vehicle Parking
19. HWAY00 Prior to the development being brought into use a Parking Management Plan based on the submitted details shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Local Highway Authority which takes into account arrangements for regular activities, as well as additional activities and functions, which will prevent overspill parking on Dikes Lane and any other areas that may be affected if the parking on the site cannot satisfy the demand. The Parking Management Plan shall be implemented once the site becomes operational. Should any material changes occur to the measures contained within the approved plan, or the facilities detailed are no longer available for use, the plan should be modified and resubmitted for approval.
20. HWAY18A Precautions to Prevent Mud on the Highway
21. HWAY24 On-site Parking, On-Site Storage and Construction Traffic During Development
22. LNDS01 Landscaping Scheme Required
23. LNDS03 Trees/Hedging to be Retained
24. LNDS06 Tree Protection Scheme - Protection Zone Specified
25. MISC00 Before any works to the building hereby permitted commences, the applicant/ecological consultant shall forward a copy of the Natural England European Protected Species Licence covering approved mitigation to the National Park Authority. Works shall then proceed in accordance with this license.

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Conditions continued

26. MISC00 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9.3.2 of the submitted Bat Survey dated August 2019. This states that if construction work takes place during the bird nesting season (March to August inclusive) a suitably qualified ecologist should confirm that no nesting birds are present in/on the buildings. Integral bird boxes (such as bricks and tiles) are recommended to be installed during the construction phase
27. MISC00 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9.3.3 of the submitted Bat Survey dated August 2019. This states there is approximately 30 metres between the development site and the watercourse. A Pollution Prevention Plan should be drawn up before construction work begins. This should be based on 'Works in, near or over watercourses; PPG5: prevent pollution' (now withdrawn)

Informative(s)

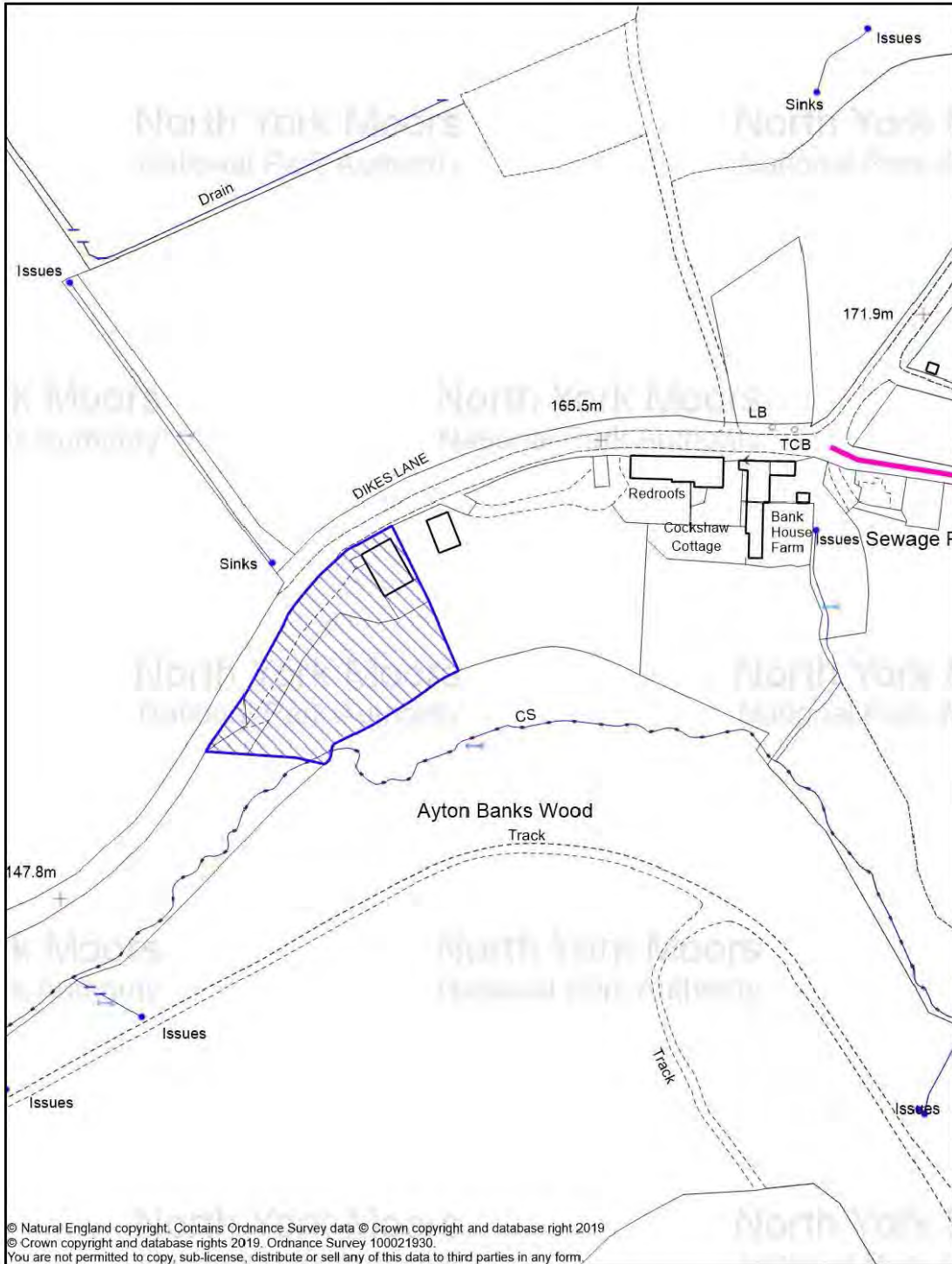
1. Bats
2. Coal Referral Area
3. Section 106 Agreement
4. Please contact Debbie Trafford (National Park Head of Ranger Service) for help with route promotion and to avoid any over promotion of vulnerable bridleways in inappropriate conditions. The National Park Authority is happy to work with the applicant to pick more sustainable routes and perhaps improve the carrying capacity of some strategic links. We also strongly recommend engaging with landowners/occupiers at an early stage about the possible of off road routes.
5. Visibility Splays
6. Details of Access, Turning and Parking
7. Birds



North York Moors
National Park
Authority

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Scale: 1:1500



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Consultations

Parish – 07/08/2019 The Parish Council reiterates its support for application NYM/2018/0732/FL which is seen as a positive addition to the local tourist economy.

06/03/2019 – The Parish Council supports the application and welcomes the alterations to the building.

12/02/2019 – The property is currently in a state of disrepair and hence the proposed conversion / extension are judged to be a positive improvement to the structure.

Ward –

Highways – 18/11/2019 – There has been a Transport Statement submitted to support the proposals that addresses the visibility that should be made available at the access, traffic generation and parking within the site. Consequently the Local Highway Authority now recommends that conditions are attached to any permission granted.

02/08/2019 – I refer to your recent letter with regard to the additional information which included a Transport Statement.

I do have concerns with regard to this site which include the level of parking provided for the activities proposed, the visibility that is available at the access and also the route to the site from Great Ayton which is likely to be the most used route.

Accordingly I have asked for a Transport Statement to be provided by a suitably qualified transport consultant who will be better able to appraise the transport aspects of the site. They will have access to trip rates and parking standards in order to justify the level of activity on site and be in a position to work with the applicant in order to reduce the impact on the highway. Similar applications involving cafes have been approved in both the North York Moors National Park and Hambleton District Council with the promise of low car usage given the target market of cyclists and walkers however we have experienced car parking problems at both as they have both become popular destinations for the wider public wishing to visit the cafés. The parking associated with both establishments has resulted in affected residents requesting traffic restrictions and other measures to reduce the impact of parked vehicles.

A speed survey has been requested however the applicant is proposing that the Council lowers the speed limit to 30 mph. The Council follows guidance from the Department for Transport in relation to the setting of local speed limits and this stretch of Dikes Lane would not meet the criteria for lowering the speed limit there. The national speed limit applies there however I would anticipate that speeds here are much lower than this and this is why a speed survey is required to assess the speeds, examine the visibility and see how these comply with the requirements in Manual for Streets 1 and 2. Again there is guidance here with regard to visibility splays. The Transport Statement should incorporate this and justify the level visibility provided. We cannot rely on the extracts in the Highway Code that have been quoted as it is the advice in Manual for Streets 1 and 2 that will apply.

Given the above I must again ask for a Transport Statement that assesses the visibility at the access and will incorporate a Parking Management Plan which should be carried out by a suitably qualified transport consultant. I understand that this will be at a cost to the applicant but the use of the site is not straight forward and it is recommended that the transport and parking issues are fully resolved before the Local Highway Authority is able to make a recommendation on the application.

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Consultations continued

23/07/2019 – I refer to your re-consultation with regard to the above application. I have looked through the additional information on the website and although there have been some alterations to the plans to indicate a visibility splay and some extra parking we do need the information that we originally asked for before we make a recommendation on this application.

A Transport Statement that describes the transportation aspects of the site as set out below which also justifies the level of parking on the site. Also required is the justification of the visibility splays available at the access in accordance with the results of a speed survey taken in the vicinity of the access.

The Transport Statement should incorporate the Parking Management Plan and should be carried out by a suitably qualified transport consultant.

01/03/2019 – I refer to the above application and I would be obliged if you would ask for some further information in relation to the increased vehicle trips to and from the site.

There is a concern in relation to the visibility that is available at the access. The speed limit is derestricted at the access location and as such the exact speeds of vehicles in the area are not known. As such I will also require further information and justification with regard to the visibility splays that are available at the access. The visibility splays should be justified in line with the guidance from Manual for Streets or the Design Manual for Roads and Bridges as appropriate and justified by means of a speed survey.

I will also require some further information in relation to traffic movements to and from the site and an assessment of the suitability of routes to the site for the proposed use. I would therefore be obliged if you would ask the applicant's agent to provide a Transport Statement detailing the traffic movements that would be associated with the proposal if the site became operational. The information should include figures during the day and on a weekly basis and also include the types of vehicles that would visit the site. These figures should also help to justify the level of parking that is being made available at the site for the mixed uses here i.e. the holiday lets, bike hire and café facilities. Deliveries to the site will also need to be considered as well as refuse collection.

Consideration should also be given to a Parking Management Plan which should be aimed at the keeping the vehicles associated with the site within the site and not parked elsewhere on the highway if the parking demand exceeds the availability at the site.

I will await these details before issuing a recommendation.

Northumbrian Water – 26/07/2019 & 28/02/2019 – It should also be noted that, following the transfer of private drains and sewers in 2011, there may be assets that are the responsibility of Northumbrian Water that are not yet included on our records. Care should therefore be taken prior and during any construction work with consideration to the presence of sewers on site. Should you require further information, please visit <https://www.nwl.co.uk/developers.aspx>.

14/02/2019 – Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make as no connections are proposed to any existing sewerage networks.

Having assessed the proposed development against the context outlined above I can confirm that at this stage we would have no comments to make, as no connections to the public sewerage network are proposed in the application documents. Should the drainage proposal change for this application we would request re-consultation.

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Environmental Health Officer – 05/09/2019

Following the submission of additional information for the above planning application, I have the following comments to make:

- The applicant has confirmed operating hours of the development as Summer 8am – 8pm and Winter 8am – 6pm. I would still recommend conditioning the external seating area shall not be used outside the hours of 08:00 and 20:00 daily.
- The details of the kitchen extraction system identify that the external noise from the extraction system would be 65dB when in use. The nearest residential property is approximately 15m in distance from the proposed development, and at this distance, I believe the system could have an impact on the amenity of this residential property. It would be likely that the system will require noise mitigation measures, and in order for that to be suitably determined, a noise assessment should be carried out by a suitably qualified person. A BS4142:2014 assessment provides a suitable methodology for this assessment.
- The plant room is going to house a biomass woodchip boiler. Biomass boilers are potentially a source of air pollution, and therefore any new biomass boilers installed in Hambleton need to meet certain emission control requirements in order to protect local air quality. In order to approve a planning application associated with a biomass boiler, the attached information must be supplied to the Local Authority (see attached).
- The plant room will also have a generator located within it. The noise from this plant should also be assessed in the noise assessment carried out.
- The clarification on the external lighting, that the fixtures used on the eastern elevation will be with eyelid covers, is acceptable.

27/02/2019 – The application is seeking to include a café with external seating on site, located in an area in relatively rural surroundings, with the nearest neighbouring residential property <15m in distance from the proposed development. With this location type, it is typical that the area would be exposed to low background noise levels. The development would include the installation of extract ventilation to service the commercial cooking facilities. With permitted A3 class use, the development could also lend itself to a restaurant which produces odorous cuisine. Information about the proposed extract ventilation system has not been included as part of this application.

After discussions with the Agent, the development is likely to include external lighting to enhance security of the area. With the closeness to the nearest residential property in mind, I have concern that external lighting from the development could unreasonably impact the neighbouring residential property. The inclusion of external seating also raises concern to me about the potential impact from noise from customers using the area, especially in the evening and night-time without adequate control. I would recommend the following conditions be applied to any planning approval granted to cover details of the ventilation and fume extraction, details of any external lighting of the site, the external seating area shall not be used outside the hours of 08:00 to 20:00 daily.

Fire Officer – 17/07/2019 – At this stage in the planning approval process the North Yorkshire Police, Fire and Crime Commissioner Fire and Rescue Authority have no objection to the proposed development.

Police – 18/07/2019 – In relation to designing out crime, the comments I made in my response dated 5 January 2019 are still pertinent. No further comment.

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05/01/2019 – Designing Out Crime Report – It is accepted that light pollution may be a consideration; however, lighting or the lack of it can have a significant impact on crime and the fear of crime. Consequently, external lighting is recommended to each elevation that contains a doorset and for the car parking area. This lighting should be switched using a photo electric cell (dawn to dusk), as a constant level of illumination is more effective than PIR lamp activations which again can increase the fear of crime particularly for the elderly. Taking into consideration that there have been burglaries of isolated properties in the area, it is recommended that windows, doors, shutters and roof lights fitted should be to a good security standard.

Forestry Commission – 15/02/2019 – Standing Advice offered in relation to ancient woodland and veteran trees.

Site Notice Expiry Date – 12 February 2019

Others – Mr S Stevenson, 09/08/2019 Bank House Farm, Dikes Lane

The purchase of right of water was Mr Turnbull, not the Gribdale Water Trust. The applicant has not contributed to the upkeep of the supply. The licence for the Gribdale Water is for domestic use only.

26/02/2019

Water Supply

- There is no mains water to the site and the provision of a water supply is not mentioned in the planning application.

Electricity Supply

- There is no mains electricity to the site and provision has not been mentioned in the planning application.

Traffic and Road Safety

- Site access is on to a narrow lane with blind bends in very close proximity, in both directions.
- The narrow lane at site entrance is barely wide enough for two cars to squeeze past each other and it is certainly not wide enough for a van and car to pass each other.
- The lane to Gribdale car park and access to the local hills is single carriage way in places with tight bends and blind sections.
- The development will significantly increase the number of vehicles and vulnerable users (pedestrians and cyclists) using the lane from Great Ayton to Gribdale Gate/Lonsdale, greatly increasing the chances accidents and the potential to seriously hurt pedestrians, cyclist, horse riders and other road users.
- The increased traffic and number of people will change the character of this popular area.
- Large agricultural plant uses the lane on a regular basis.

New Plant Room Building

- The new Plant Room Building is a significant standalone new build (6.1m x 6.1m x 4.2m high) which will impact existing views.
- What will be housed in this and how noisy will it be, generators etc.?
- It will be obtrusive to the neighbour's views.

Septic Tank

- Existing septic tank is forty years old and discharges into the stream.

Noise

- The development will increase noise - from the facility, cars and users.

Proposed Development and Future Growth

- The planning application and documents states that the business will have 20 bikes initially, with the inference that this will grow in time.

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Others continued

- It also mentions the development of a Minibus Sherpa service for long distant routes; this will lead to further congestion with additional vehicles operating from the site and being stored at the site.
- There is no Business Plan to indicate how this site/business will be developed further in the future.

Existing facilities & businesses

- Visitors are already well catered for in the local area.
- Accommodation is readily available.
- A large number of cafes and pubs already exist in the local vicinity.
- This development will impact existing business that cater for cyclists
- The Sustrans national cycle routes 165 & 168 are remote from the site and are already serviced by other provisions.

20/11/2019 – Further comments - . I take it that Mr Pearson has secured his own water supply, and will not attempt to use the Gribdale supply

Gail McCracken - 09/08/2019 Itzamna's Cocoa, 8 Gribdale Terrace

- The matter of a water supply for the proposed development would appear to have been addressed by the applicant; however I still have concerns regarding the increased traffic on the narrow highway leading to the site and car parking.
- The applicant states that many visitors will arrive without the use of cars, however, it seems likely that, as there is no other refreshment facilities available in the area, many people will come simply to visit the café and will arrive by car, increasing the traffic more than is suggested by the applicant and also increasing the pressure on the parking available. It seems unlikely that many visitors will use the train to travel to the proposed development as trains are infrequent, with only six trains in each direction Monday to Saturday and four trains each way on Sundays.
- The nearest bus stop is in fact 1.4 miles away and not 1 mile as stated by the applicant.
- Even with a reduction in the speed limit as suggested by the applicant, the road has places where two vehicles cannot easily pass each other, in fact cars often have to pull into the entrance to the property at 20 Dikes Lane in order to pass each other, and additional cyclists as well as cars seems likely to increase the risks for both. Also, there are delivery lorries, tractors and tankers as well as logging lorries which use this road which makes it additionally dangerous at times.
- In the matter of parking, the applicant proposes that, on occasions when there are too many cars for the proposed parking on site; visitors are directed to Gribdale Gate car park. However, this car park is often over capacity, especially at weekends and bank holidays, when there are likely to be more visitors to the proposed development, so there would not be the capacity there to absorb the overflow. The applicant also suggests that no parking signs be erected on the road to prevent people parking there, but this would also mean that visitors to the properties on Dikes Lane would be unable to park by the side of the road as they do at present. The small numbers that do so for this purpose do not present a problem, but there are times, for example when it snows, that people not visiting these properties park there and cause a hazard. The applicant frequently refers to the proposed development site as an equestrian trekking centre. I have lived at Gribdale for 30 years and it has never been used as such in the time that I have been here and in fact a planning application for use as a pony trekking centre was refused in 1985 so there should be no suggestion that this site has been successfully used commercially in the past.

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Others continued

08/02/2019 – I would like to register my objection to the above development. I have two main areas of concern:

1. Water Supply
2. Highways/Traffic

Water Supply:

The current supply will not, in my opinion, be able to meet these needs of this proposal.

Highways/Traffic:

The lane up to and past the property is narrow and already accommodates a considerable amount of traffic both foot, cycle and vehicles as many people use his route to get to Gribdale Gate and from there walk/cycle to Captain Cook's Monument, along the Cleveland way etc. In winter this can cause particular difficulty as cars can get stuck going up the hill when it snows or is icy and block the road for the residents that live further up, I can only assume that additional traffic will make this situation worse. During the summer months the volume of traffic on the lane can be considerable especially at the weekends and Bank Holidays and, with bends either side of the entrance to the property, the risk of accidents must be considerably increased if this development were to go ahead.

If an alternative water supply could be arranged then conversion of the property to low cost accommodation for local families might be a more suitable use for the building, although there would still need to be some consideration of the highways issue but the increase in the volume of traffic would be less than the current proposal.

Mr K Price, 3 Dikes Lane, Great Ayton 27/07/2019

- I am still concerned that traffic safety, traffic flows and parking management have not been adequately addressed. No Transport Assessment has been submitted as yet so perhaps this will be addressed in due course. The Business Plan gives no details of expected traffic or customer flows. I note from the Parking Management Plan that the issue is recognised but the proposed solutions are, in my view, unworkable. For example, the No Parking signs would not be legally enforceable unless adopted by Highways and would need to be policed to be effective. Whilst people who do park 'would not be welcome at the café' is helpful, it is unclear how such a system would operate. Would the café staff have to seek proof that customers had not arrived by car and if they had, how would they handle refusing service? The same applies to those who have been encouraged to park at Gribdale Gate car park. This could lead to arguments or worse between customers and staff.
- In the absence of a Transport Assessment I enclose a rough sketch based on the published drawings of the sites' exit and the current sight lines. As the site exits onto a 60mph road one has to consult the 'Design Manual for Roads and Bridges' to get the appropriate Desirable Stopping Sight Distances which for 85 kph (approx. 53 mph) is 160m. This should be distance Y1 and Y2 in the drawing. It is actually substantially lower than this at around 11m. Even allowing for traffic speeds of 50kph or 30mph the 'Stopping Sight Distance' Y should be 43m according to the 'Manual for Streets'. To meet the required visibility splays the entire hedge line in both directions would have to be removed or have I simply miss-understood the regulations?
- As I have said previously it would be nice to see this building re-purposed so perhaps I can offer a suggestion to help manage the traffic issue.

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Others continued

- The Business Plan is clearly trying to set a sustainable agenda which is to be applauded and the café is mainly aimed at supporting the bike and holiday-let businesses with walk or ride-ups taking up the slack. If this is the case then why not ban cars parking altogether except for the bike and holiday home users? Spaces could be pre-booked as part of the bike/holiday-let reservation process and arrivals on the day given a permit. No Parking signs could also be erected to re-enforce the message as well as stating this on the proposed signs at the entrance directing people to Gribdale car park. The marketing message of a sustainable venture would be enhanced by getting people out of their cars. As an example, High Paradise Farm Café on the Cleveland Way has operated a no parking policy for years. The message from its website is 'Also please note that vehicle access is for residents only. The walkers tea room is just that, walkers, cyclist and horse riders welcome, but we have neither the parking nor the road system for as (stet) lot of cars.' Whilst this may not solve the issues with the entrance geometry it would reduce concerns about the potential volume of cars and where they might park.

25/02/2019

- I would like to object to this application as currently submitted as I do not believe that adequate consideration has been given to potential traffic volumes, parking and safety. The plans provide for 15 parking spaces plus two disabled bays. The cafe has 36 covers, the bike shop 17 rentals and the two flats sleep a total of 10. The flats will likely require two-three dedicated parking spaces; people renting bikes will inevitably arrive by car and require parking, and even assuming a large number of walk-ins or cycle-ups to the cafe many will drive.
- It is clear that 17 spaces are inadequate to service this diverse business venture, especially if the growth ambitions are realised. This will inevitably lead to parking on the verges around the site and encroach on resident parking at Gribdale Terrace.
- The road at the site entrance is a 60mph zone and effectively single lane; it is also on a blind bend. Any verge parking will make the road virtually impassable and present considerable risk to cyclists and walkers. It is also the only route for farm vehicles.
- Like others, I would be happy to see the building re-purposed, but given the restricted nature of the site I am not sure how on-site parking could be increased. In which case, what measures can be taken to ensure that parking outside the site is controlled and managed?

Mrs G Price, 3 Dikes Lane, Great Ayton 27/02/2019

With regret I object to this application as I do not think there is sufficient provision available for parking which would lead to cars being parked along the lane causing traffic management issues. Dikes Lane is a narrow windy road, which for the most part is passable with care for two cars, however certain sections are not. It does not have pavements so pedestrians are forced to walk along the road. It is also frequently used by horse riders, farm traffic and larger vehicles. It has a number of frost pockets but is not on a regular gritting route. Sections are restricted to 30mph speed limit but the section by the proposed development is subject to a speed limit of 60mph. There have been numerous minor accidents and near misses.

The application states parking for 20 vehicles but the detailed plans only show 15 marked bays and two disabled bays. Assuming the holiday lets would require a minimum of two bays, and cycle hire customers are likely to require parking for longer periods of time, this would restrict the parking available for café users. A farm café in the area has proved so popular that overflow parking has been required, which was accommodated in an adjoining field, this option would not be available for Dikes Lane. A similar cycle hire /café business on the edge of a nearby village offers limited onsite parking, customers could also park in

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Others continued

the village but it appears that the majority park on the verge, this is likely to be the only option available for customers at Dikes Lane. This would be unacceptable as it would further restrict the traffic flow, reduce the line of sight for customers leaving the site and damage the verges themselves.

The Harlands, 3 Gribdale Terrace 28/03/2019

We have lived here for 17 years and are all for the proposal, it can only add to the countryside. My daughter used to sell drinks, cakes and crisps at the bottom of the terrace on a sunny day and believe me she made plenty of pocket money. We think it's a great idea.

Mr & Mrs M Dixon 1 Gribdale Terrace

Simon Cauldwell, 4 Gribdale Terrace

Kieth Read, 5 Gribddale Terrace

Kevin Wright, 6 Gribdale Terrace

M Spozio, 14 Gribdale Terrace,

All of the names above signed a letter received on the 15/03/2019 objecting to the application on the following grounds:

- The use of the private domestic water supply.
- We have no objection to the proposer putting in a borehole or mains supply on his own land for his own supply, which would not impinge upon our supply or pressure.

David Chipchase, Crossways, Carlton in Cleveland 07/03/2019

- As a keen runner and cyclist I would like to give my full support to this new venture, I spend a lot of time up and around Gribdale and Captain Cooks and can think of nothing better than stopping at the proposed new Cafe on route down.
- The cycle hire side is an excellent idea and a great way to help people get into the sport and to enjoy the stunning surroundings we have on offer, for either local villagers or people who have travelled to the area on holiday.
- I can't see access/egress or parking been a problem as the majority of people will arrive on two wheels or on foot.

Emma Owens, Cockshaw Cottage, Dykes Lane 06/03/2019**Water Supply**

The proposed development will require a significant amount of water both during construction and once the proposed development is in operation. As there is no existing mains water supply to the building, the provision of a water supply needs to be addressed as a planning condition. The private water supply that services Gribdale Terrace and three houses on Dykes Lane is administered by Gribdale Water Trust, the trust is granted under licence to extract and supply water for domestic use purposes only. This is a fragile resource and occupants served by the supply are aware of the issues overuse can cause especially during the summer months. This supply would not be able to sustain any additional users.

Traffic

Site access for vehicle and cyclists is from and on to a very narrow lane, with blind bends in both directions; the current speed limit is 60mph. There are frequent near misses on this section of the lane due to the limited visibility for motorists approaching the bends, an increase in traffic would make this section of the lane more hazardous especially with traffic turning into and exiting from the site. During busy times of the year and especially during the winter month's motorists' park on the lane causing problems for residents accessing their properties and continuing further up the lane to Gribdale car park and Lonsdale; we are concerned that the development may increase this behaviour. The lane is currently not maintained by the council (not gritted) during the winter months perhaps this is a point that needs to be addressed.

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Noise/Cooking Smells

We moved to the area to enjoy the peace and quiet of the countryside and are concerned at the increase in the level of noise from the proposed facility especially from the café and cycle hire shop. We also have concerns that there will be constant food preparation smells from the café due to the predominantly westerly direction of the wind. The planning document does not state what will be housed in the new plant room building and what noise impact this will have.

Light Pollution

There is currently no indication in the planning documents regarding the situation of outside lighting, this is a concern as we already suffer light pollution from the golf driving range. Any outdoor lighting would need to be considered so as not to have a detrimental effect on the nocturnal wildlife in the area and be directed away from neighbouring properties.

Change to Elevation of the Current Building

Our property position has been incorrectly referenced on the planning documents, we note that there are no significant changes proposed to the east elevation of the building but are concerned that the proposed changes to the roof elevation will obstruct the view from our property and the construction of the balcony's will overlook our property.

Proposed Development and Future Growth

The planning application does not mention the proposed opening times of the facility (café and bike hire) and any future plans for the growth of the facility.

Whilst we appreciate that the current building is in a poor state of repair and acknowledge that an improvement to the site would be of benefit to the area, we feel the commercial nature of the development is not in keeping with the residential area in which it is located. We would be supportive of a development that had a stronger residential outcome.

Phillip Votheram, 05/03/2019 15 Gribdale Terrace

I have the following concerns with this proposal:

- Egress to the property is off a narrow lane which is barely wide enough for cars travelling in opposite directions to pass.
- Close to the entrance there are bends in the lane above and below, these are blind bends, and there may well be injury to cyclists and pedestrians at this point from vehicles travelling at an excessive speed around the bends. The road is not gritted past Great Ayton Station which is almost half a mile from the site.
- Commercial use of the existing water supply is another issue.
- Car Parking on the edge of a steep slope to a stream and there is no space outwith the site to park on the roads.

In my opinion this is regrettably not a site which is viable for the above reasons.

Julie O'Donovan & John Maloney, 22/02/219 Redroofs, Dikes Lane

We would like to support our closest neighbour Mark Pearson in his planning application at 20 Dikes Lane.

- We think this will enhance the area and bring cyclists here and maybe reduce the amount of car traffic passing our house on the way to Captain Cooks Monument and apart from anything else, the building just lends itself to be developed as it is such a waste to leave it the way it is.
- Anything that can be done to develop this area for tourism has to be applauded as there's absolutely nothing regarding services here in Gribdale. There are a number of hikers who call at our house asking for a drink. To have some facilities nearby would be very useful to the walkers as well as cyclists etc.

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Adrian van Loo 21/02/2019 11 Gribdale Terrace, Great Ayton

The only comment that I would like to make relates to the provision of a water supply to this property. The supply is not suitable for the use to be extended to the extra properties and businesses proposed in this application. Should another supply be made available, then there would be no objection from myself.

Mr Neil Gawthorpe 21/02/2019 Newton Hall, Newton under Roseberry

- The lack of amenities around such a popular site as Captain Cooks monument is astounding! After an enjoyable walk to the summit and back, one has to drive 10 minutes to Great Ayton for any hope of refreshment. This can easily increase to 20 minutes by the time suitable parking can be found in this increasingly congested village. A two minute drive or five minute walk down to the proposed cafe would be much more convenient and enjoyable. This, coupled with the option of hiring bikes to explore the wider area, is an absolute no-brainer.
- My wife and I have often commented that the current building and associated land are somewhat of an eyesore and a waste of space. Therefore it is refreshing to see that someone has finally had the wherewithal to develop the property in such a way that will benefit both visitors and locals in equal measure.
- Good quality holiday lets in this corner of the National Park are few and far between. The option for cycle hire is a masterstroke and I don't see how any reasonable person can argue with the benefits of people enjoying the National Park in this manner. Surely, in this day and age, promoting healthy, low-emission enjoyment of our natural habitats is an absolute must?
- I believe that the North York Moors is a national treasure and that this type of project will help to maintain this for generations to come. Therefore on behalf of myself and my family (who are numerous and have frequented this area for many generations!), I implore the relevant authorities to support this application and to encourage more like it.

Laura and Stephen Lyons, 19/02/2019 Gribdale Terrace

We have the following concerns with this proposal:

- Water supply for the proposed businesses

The application does not appear to give any accurate details regarding the source of the water supply for the proposed businesses, namely the cafe and bike rental and holiday lets.

- Traffic

Access for vehicles and cyclists to and from this proposed business is from and on to a very narrow lane. It is the main access route to Gribdale Terrace and other properties and is used by walkers cyclists and tourist's vehicles. There are frequent minor accidents and near misses on this specific section due to the very limited views for motorists approaching the entrance from the corners immediately above and below; particularly in busy times during summer and winter months. We are concerned that this will make this section of the lane even more hazardous and lead to more people attempting to park on the lane.

Mrs Magdalena Staples 18/02/2019 Meabek, Ingleby Greenhow

We would like to add our full support to this application. As local business owners and having my family home in Gribdale we would welcome another great business to improve the footfall to this area of the parks. The enhancement in local tourist trade would be an improved addition.

A massive advantage will be the change to the exterior. It will turn a currently hideous looking eyesore into something much more aesthetically pleasing!

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Mr Craig Jones 18/02/2019 Temple House, Carlton-in-Cleveland, Stokesley

Having lived the area for over 50 years I am in full support of this application. To massively upgrade the site & provide a good base for many more people to enjoy the local area.

Mr & Mrs Butler, 18/02/2019 9 Gribdale Terrace, Great Ayton TS9 6HN

We do not object to the project providing the scheme sources its own water supply for both the construction works and the running of a new business. The existing ground water supply, the Gribdale Water Trust, is limited to the 15 houses on the terrace and the three properties above the site.

Regarding the site access, narrow road and blind bend, we would suggest extending the 30 mph limit, ideally up to Gribdale Gate car park, or at least, past the Gribdale Terrace entrances.

Mr Kevin Marsay, 18/02/2019 Angrove West Farm, Great Ayton

Having viewed the application I feel this would be a great addition for the local area. Making use of a redundant building and attracting tourism to the area.

Mr Keith Clarke, 16/02/2019 Gilder Tofts, Great Ayton

Excellent use of an unused barn and will provide a much needed facility to improve the public's enjoyment of the park

Background

Setting

The site is located 2km east of the village of Great Ayton in a rural setting. It is connected to the centre of Great Ayton in the west by Dikes Lane / Station Road. The road continues east, past the site towards Kildale; however, the road narrows and becomes an unsurfaced track beyond the National Park parking area which is located c.1km to the east of the site. As such, all vehicular access to the area is anticipated to be from the west. The National Park car park is surfaced with a loose stone material, which can accommodate c.40 vehicles. Visitors can use the car park to access the numerous Public Rights of Way throughout the National Park, including Captain Cook's monument.

Dikes Lane/Station Road follows an alignment with frequent bends, lined intermittently with narrow verges and hedgerows, as well as several farmsteads and private residential properties. In the vicinity of the site, Dikes Lane is of rural character with a derestricted speed limit, approximately 5.5m wide, unlit and has no footways or centre line road markings.

The site is bound by a residential property to the east, Dikes Lane to the north and agricultural land to the west. There are extensive woodlands located immediately south of the site, maintained by the Forestry Commission. Adjacent to the site is a narrow watercourse and an access track which is restricted for use by forestry vehicles and non-motorised users only.

The site itself slopes south toward the stream and the Forestry Commission plantation. On the north side of the site, and adjacent to Dikes Lane is a large rendered building with an agricultural/industrial type appearance. Access to the building runs along parallel to Dikes Lane on the higher area of the site and exiting the site in the western corner of the site at a single field gateway.

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Background continued

The site is in close proximity to several bridleways and forestry tracks. The existing national cycle network passes within 2km of the proposed cycle centre (sustrans route 165 and 168). It is envisaged the proposed cycle path (the endeavour way) starting in Stokesley and ending at Great Ayton station will soon be completed. The nearest bus stop is in Great Ayton only 1 mile away. The nearest public railway station is Great Ayton station which is only 700m away this has direct services to and from Whitby and Middlesbrough which gives access to all main line rail services.

Planning History

The last approval of the building was for a Pony Trekking Centre associated with Red Roofs, the neighbouring domestic property, (NYM 3/3/2601D) which was granted in 1972. Since closing the building and land have been used for agriculture and general storage.

There is also a history of refusals on the site for residential accommodation in the NYM2/58/121/PA series, with NYM2/058/121A/PA having also been turned down at appeal. NYM2/58/121E/PA was refused in 1985 was for converting the first floor to a restaurant and bar. The reasons stated were that the building was not considered worthy of retention, the scale of the proposal was considered to be incompatible with the pony trekking centre and the access was considered to be substandard.

It is also worthy of note that the then Secretary of State in introducing permitted development rights to turn agricultural buildings into 3 open market dwellings outside of National Parks without planning permission commented that, whilst National Parks have been exempted, this would be reviewed if National Parks did not demonstrate some flexibility in the re-use of rural buildings generally. It is therefore considered that it would be more sustainable to repair the existing building on site and improve its aesthetic appearance in the landscape than just leaving it under used for any more time.

Current Proposal

Under this application permission is sought to convert the existing building into a cycle hire shop and café at ground floor level with two holiday letting units above, achieved by altering the roof slightly, through the addition of a gable facing south. A small extension is proposed to the south side of the building to create an entrance to the café area and also accommodate the toilet area. This extension will also help to act as a buffer between the neighbouring property and the outside seating area. Within the grounds it is proposed to construct a plant room/store, together with alterations to the access, parking and landscaping works.

The applicant had initially hoped to run the building fully off grid to be as environmentally friendly and sustainable as possible, however this has proved difficult to do given the proximity of residential neighbours and the sound level associated with backup generators. The latest set of amended plans have therefore had the solar array, easy grid battery system, backup generator and Biomass Boiler omitted from the proposal and it is not proposed to connect to the National Grid. The applicant has stated that they will still aim to make the building as efficient as possible with the use of maximum insulation and by fitting the most economical fixtures, fittings, appliances and lighting. By recycling rainwater and keeping waste to a minimum.

There is no mains water to the site and it has always been the applicant's intention to install a new borehole supply specifically for the property.

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Background continued

The current access to the site will be widened to allow two cars to be able to pass and the visibility splays will be improved. Within the site parking will be located along the existing hedge line where there is already a hardsurfaced area which was used in association with the trekking centre. An additional gravel access road will be installed at the bottom of the slope to access the storage building where staff parking and accommodation guest parking will be located as well as unsurfaced overflow parking for use at busy times.

The site will offer a cycle hire shop, accommodation for a maximum of 8 guests, a café with up to 20 covers, cycle wash facilities, easy access to local bridleway and footpath networks with suggested routes. On site there will be provision for parking for up to 17 vehicles, including 2 bays for disabled users. The surface will be permeable and constructed of either gravel or recycled road planings.

Accompanying this application the applicant has also provided: A Business Plan, a copy of a Code of Conduct that all visitors will be asked to sign, a lighting survey, an Ecological/Bat Survey, A Tree Survey, a route map of existing cycle routes within the area, a Parking Management Plan, a Transport Plan, an Acoustic Report, a copy of a quote for the installation of a borehole and details of the proposed sewerage treatment plant.

Main Issues

The proposal represents the development of a new cycling tourism facility at the north western edge of the National Park which has the aim of promoting enjoyment of the National Park on a bike.

Policy Context

Core Policy H of the NYM Local Development Framework seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education and training in various ways, including allowing new employment development in Whitby Business Park, Service Villages and Local Service Villages. It also supports the agricultural sector and opportunities to diversify as well as sustainable tourism based on recreation activities and tourism development related to understanding and enjoyment of the Park.

Development Policy 14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

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Main Issues continued

The NYM Local Development Framework and Management Plan are generally supportive of such a venture which promotes the opportunity for visitors to increase their awareness, understanding and enjoyment of the National Park, and favour sustainable and accessible locations for such activity hubs at the edge of the National Park so as to have less impact on the tranquillity of the main body of the National Park location.

Managing a National Park is challenging and there needs to be the right balance between conservation and recreation. National Park Authorities need to conserve wildlife and habitats, but also encourage people to enjoy and learn from the countryside. This can cause conflicts.

To help National Park Authorities make decisions between conservation and recreation, the National Parks Policy Review Committee made a recommendation in 1974, which is now known as the 'Sandford Principle', named after Lord Sandford who was Chair of the Committee.

This states that:

"Where irreconcilable conflicts exist between conservation and public enjoyment, then conservation interest should take priority"

The Sandford Principle must be taken into account when considering this application to ensure that the proposal scale of development is appropriate for the location deep within the National Park. The principle however also recognises that most conflict can be addressed through visitor management – and therefore it includes the term “irreconcilable”.

The Principle of Development in this Location

The proposal fully meets all the requirements of Core Policy H and Development Policy 14 which seeks to ensure that new sustainable tourism development provides opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where it will make use of existing buildings.

The current building is not particularly attractive in the landscape and therefore the proposal to clad the first floor with timber boarding is also welcomed to improve the appearance of the building in the landscape and satisfy the requirements of Development Policy 3.

The location of the building proposed for conversion is considered to be ideally located close to the north west edge of the National Park and in close proximity to good road and rail links out of the park. This will allow visitors to use the site as a base and as somewhere to start their adventure in the National Park from without causing a significant increase in traffic movements within the Park to access the 'attraction'. The main area of concern with regard to the proposed location is the narrow access road to the site and the limited levels of on-site parking.

Highway and Parking Concerns

Whilst an increase in the number of cyclists in the area would not adversely impact upon the tranquillity of the area, it may cause issues with regard to interactions with cars on the narrow access road to the site and the increase in the numbers of car movements to get to the Centre may also have an impact. The scale of development proposed has been assessed in the Transport Plan submitted with the application which has measured average speeds in the locality and also assessed the number of vehicle movements as well as any reported accidents in the area. It has concluded that “it is not considered that the existing road network exhibits any patterns or trends that would be of concern in the context of the proposed development.”

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Main Issues continued

In relation to parking levels on the site, the report concludes "From the results of the estimated vehicle trip generation to the site, the 17 proposed parking spaces located towards the north of the site are considered to be sufficient to ensure that there are no operational issues with parking capacity. The additional overflow spaces (18) to the south would provide ample capacity for guests of the apartments, staff and minibuses, whilst allowing space for any 'overspill' from the northern car park - ensuring there will be no issues with parking on the Local Highway network."

The Highway Authority have considered the proposal to be appropriate for the setting and recommended conditions to ensure that the development is carried out in an appropriate manner. The requirement for a scheme of signage to restrict parking on the road outside the site will be enforced through the proposed Section 106 Legal Agreement.

Design and Materials

The application as proposed has evolved through negotiations with Officers to improve the appearance of the existing building in the landscape without resulting in an overly domesticated or visually prominent proposal. The scale of the main building on the site is considered to be appropriate to the level of shop/café provision and accommodation sought when considered against the restriction on the size to accommodate parking.

The alterations proposed to the roof of the existing building to accommodate the letting rooms and create a covered balcony area on the southern side are not considered to be an adverse impact on the wider landscape setting of the building, they are also considered to have an acceptable level of amenity enjoyed by the neighbouring residential dwelling as the balcony area has a solid edge and therefore only looks forward to the south which would only afford views over the garden area of the property and not back to the main property or annexe adjacent to the main application building.

The store proposed on the lower level of the site is considered commensurate with the needs of the proposal without having an adverse impact on the adjacent property.

Uses Proposed on Site

The main aim of the proposal is to provide a cycle hire shop and café with two units of accommodation above to serve those wishing to cycle within the National Park. The kitchens and café area would be used to offer refreshments throughout the day to those passing and a hot drink when they returned in the evening; operating times of the shop/café are 8am-8pm in the summer and 8am-6pm in the winter. A bike hire service will also be offered to tourists within the area who have not been able to bring their own bike.

As the business model relies heavily on the quality and availability of good cycle ways in the area the applicants have agreed to help the National Park towards the maintenance of these Public Rights of Way by paying a £1000 annual sum for maintenance which will start after the third year that the enterprise is up and running. A Section 106 Agreement detailing the above requirements and also restricting the range of goods that can be sold in the shop and ensuring that the cycle hire business and the proposed accommodation on the site are maintained in the same ownership will be drawn up with the applicant and will be issued with the planning decision provided that members support the proposal. It will also reinforce appropriate signage to manage car parking.

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Main Issues continued

Internal Authority Consultees

The Conservation and Park Services Departments and Ranger Services of the Authority support the proposal from a tourism and recreation point of view and support the idea of linking to other Mountain Biking Companies in the area to help strengthen the cycle product on offer in the area as a whole.

The proposal is in line with a number of cycling developments within this National Park which are leading to the area becoming a cycling capital in Yorkshire and the location provides an ideal opportunity for a cycling gateway to the NYMNP from the north east. The application site is located in a sustainable location, near to the Great Ayton Railway Station which offers the opportunity to work with Esk Valley Railway who promotes cycle routes (returning by train) and the Moors to sea route. Concern has been raised at the potential for over-promotion / damage of vulnerable bridleways in inappropriate conditions, but the Authority would be happy to work with the applicant to select the more sustainable routes and perhaps improve the carrying capacity of some strategic links.

From a recreation and tourism point of view this development proposal is considered to be positive and in line with the Authority's Management Plan aspirations to:

- provide more high quality opportunities for people to enjoy the National Park's special qualities.
- improve health and wellbeing.
- to improve the quality of the area's tourism offer and support businesses involved.

The National Park's Ranger for the area welcomes the proposal but has stated that they do have concerns about the additional pressure on the rights of way network in an already busy location. Any contribution toward the upkeep of routes in the area would be very welcome. Contributions could be used toward repairs of bridleways surfaces, to better signpost the routes and to improve gates etc. They have also stated that there are issues with trespass by bikes in the area and some help with developing and supporting a code of conduct would be appreciated. There is an associated Developer's Section 106 offer of £1000 ongoing for each year of operation (start point after three years) this is considered to be acceptable in nature and kind to the impact on the cycle route in the locality and accords with the Community Infrastructure Levy provisions (CIL compliance).

Ecology

The Ecological Report submitted with the application is detailed and thorough covering all likely risks posed to biodiversity by this development. The Authority's Ecologists have recommended that planning permission may be granted provided that a number of conditions are put in place to ensure appropriate mitigation is secured.

Bats

The updated survey by RH Ecological Services is very thorough and shows that there are active roosts for both common pipistrelle and Natterers bats present in the building. The site is connected to good quality habitats for bats. The consultants have sufficient information to apply for a European Protected Species Licence from Natural England. Planning permission can be given for the application. A condition to see the European Protected Species Licence prior to works commencing on the building is considered to be appropriate.

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Main Issues continued

Neighbour Concerns

The main areas of neighbour concerns are in relation to the water supply to the site and also the increased activity on the access road and the visibility from the entrance to the site. The highway and parking concerns have been dealt with above and through the submission of further reports following which no more neighbour comments have been received.

The issues relating to the water supply at the site have been clarified by the applicant who plans to install his own bore hole to serve the site proposal. This will be conditioned to ensure that this takes place before building works begin on site.

There have been a number of letters of support for the proposal, both from nearby residents and also from those just outside the National Park boundary to use the area for recreational purposes.

Conclusion

The application is considered to be in line with the requirements of Core Policy H and Development Policy 14 which look to support sustainable tourism based on recreation activities and tourism development related to understanding and enjoyment of the Park where proposals for new accommodation do not have an adverse impact on the character of the local area. Officers consider the scheme will complement the existing cumulative cycling attraction offer of the Park including Sutton Bank, Dalby Forest, Trailways and the more recent Yorkshire Cycle Hub in Fryup Dale.

The reports submitted with the application have demonstrated that the proposal can be accommodated on the site without having an adverse impact on the surrounding residents or occupiers of Gribdale Terrace. Where possible conflicts have arisen the applicant has been willing to change his business model to reduce the level of impact that the proposal may have on the neighbour properties and the scheme now proposed is considered to be appropriate for the setting.

This proposal is therefore considered to represent an appropriate level of development in a location at the edge of the National Park which will encourage cyclists into the Park to increase their understanding and enjoyment of the area and therefore approval is recommended.

Draft Local Plan

The reuse of existing buildings in the open countryside for sustainable tourism and recreational uses is supported by Strategic Policy J of the draft Local Plan, however at present no weight can be given to this policy at present. A modified version of SPJ is being prepared for submission to the Inspector following his comments during the recent Local Plan EIP.

Pre-commencement Conditions

There are a number of pre-commencement conditions covering water supply, landscaping/trees, bats and highways requirements which have been agreed in writing with the applicant/agent.

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Main Issues continued

Contribution to Management Plan Objectives

The proposal is considered to be positive and in line with the Authority's Management Plan aspirations to provide more high quality opportunities for people to enjoy the National Parks special qualities, improve health and wellbeing and to improve the quality of the areas tourism offer and support businesses involved.

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