

NYMNPA

20/01/2020

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**From:**  
**Sent:** 20 January 2020 09:18  
**To:** Jill Bastow  
**Cc:** Planning; Chris France  
**Subject:** Shepherds Hut, Hawnby - 19/0744/FL

Dear Jill

We are grateful to have the opportunity to submit further information in relation to the above scheme. Please find further correspondence comprising:

- Letter and supporting information.
- Amended site plan with landscaping and lighting.
- Photographic schedule.
- Photographic examples of other similar development in the NY Moors.

It is hoped that the above provides some clarification for the purposes of your recent correspondence and with respect to the issues raised. Should you require further information please don't hesitate to contact me and we will do all that we can to assist.

Kind regards

NYMNP

20/01/2020

Cheryl Ward

Cheryl Ward Planning  
MSc MRTPI

Chartered Town Planner  
MSc MRTPI



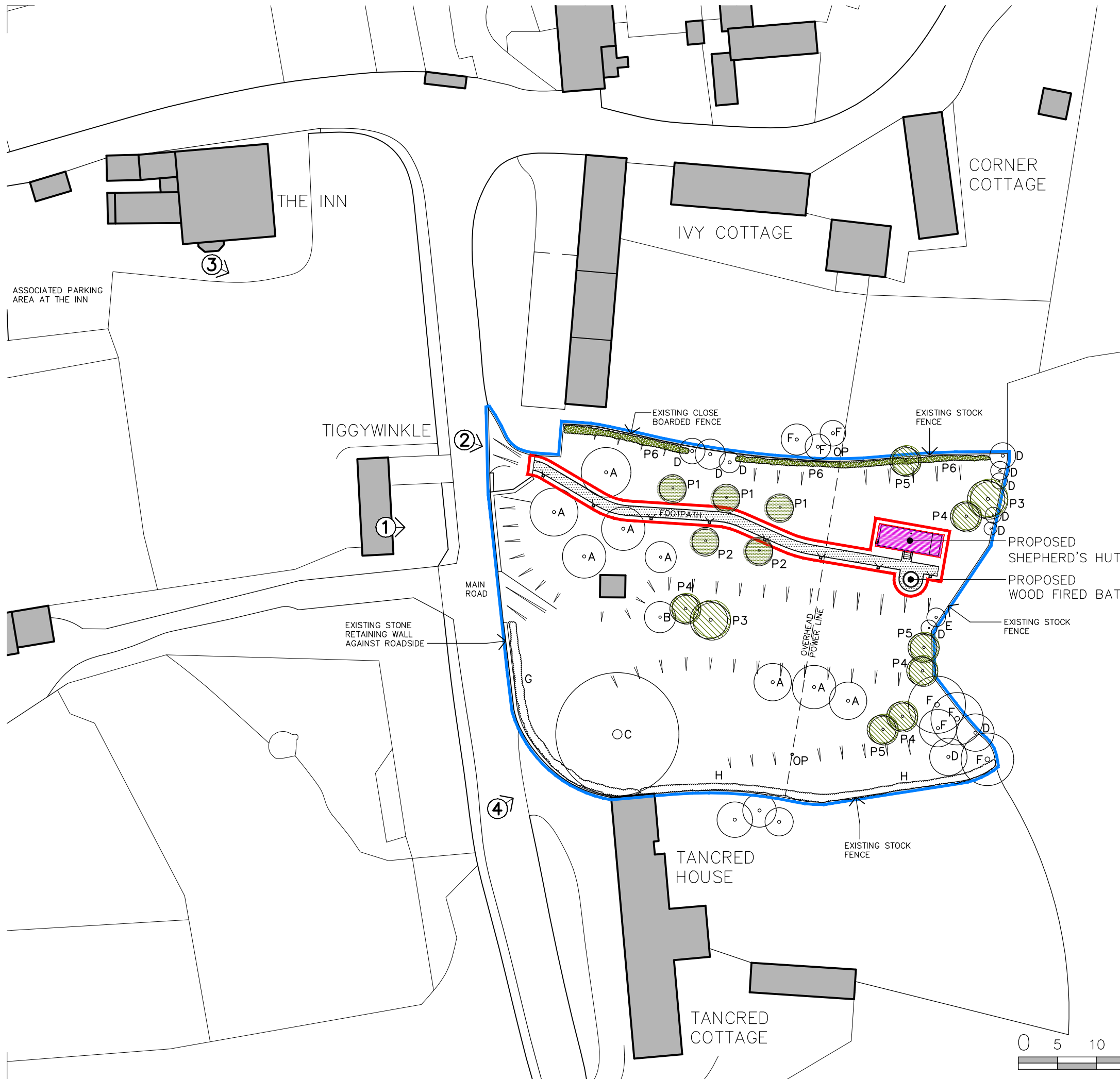
 [www.cherylwardplanning.co.uk](http://www.cherylwardplanning.co.uk)

Cheryl **Ward**  
Planning



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 Before printing, think about the environment



**EXISTING TREES & HEDGES**

- EXISTING TREES ON SITE:**
- A APPLE
  - B ELDER
  - C BEECH
  - D HOLLY
  - E CHERRY
  - F MIXED CONIFER

- EXISTING HEDGEROWS ON SITE:**
- G HAWTHORN HEDGE (ESTABLISHED)
  - H HAWTHORN HEDGE (RECENTLY PLANTED)

**PROPOSED TREES & HEDGES**

- PROPOSED ORCHARD TREES (PLANTED AS MATURE SPECIMENS FROM WYKEHAM MATURE PLANTS):**
- P1 CRAB APPLE 'Malus evereste'
  - P2 VICTORIA PLUM 'Prunus domestica 'Victoria''

- PROPOSED WOOD PASTURE TREES (PLANTED AS MATURE SPECIMENS FROM WYKEHAM MATURE PLANTS):**
- P3 ENGLISH OAK 'Quercus robur'
  - P4 SMALL LEAVED LIME GREENSPIRE 'Tilia cordata 'Greenspire''
  - P5 ROWAN (MOUNTAIN ASH) 'Sorbus aucuparia'

- PROPOSED HEDGEROWS ON SITE:**
- 60% HAWTHORN
  - 15% HAZEL
  - 10% BLACKTHORN
  - 10% GUELDER ROSE
  - 5% HOLLY
- 60cm PLANTS IN TWO STAGGERED ROWS, 6 PLANTS TOTAL PER METRE OF HEDGEROW

**OTHER LANDSCAPING MATERIALS**

- LIMESTONE SHINGLE FOOTPATH WITH TIMBER BOARD EDGING
- OAK BOLLARD WITH INTEGRAL, LED, WARM WHITE PATHWAY LIGHTING

**PLAN KEY**

- PHOTOGRAPH POINT REFERRED TO IN ADDITIONAL DOCUMENT: "EXISTING SITE PHOTOS"
- OVERHEAD POWER LINE & POLE
- EXISTING EMBANKMENT

**GENERAL NOTES:**  
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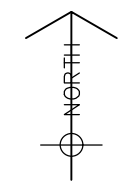
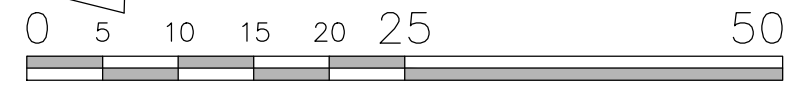
**AMENDED**

**NYMNPA**  
 20/01/2020

**rogerson** LIMITED  
 The Old Post Office  
 Stonegrave  
 North Yorkshire  
 YO62 4LJ

PROJECT: PROPOSED SHEPHERD'S HUT LAND NORTH OF TANCREC HOUSE HAWNBY  
 DRAWING: PROPOSED SITE PLAN

SCALE: 1:500 @ A3  
 DATE: JAN 2020  
 DRAWING NO: MEX/HUT/SP.100



AMENDED

NYMNPA

20/01/2020

ADDITIONAL SUPPORTING  
JUSTIFICATION TO  
NYM/2019/0744/FL

Land at Hawnby Village

**For: Mexborough Estates (Hawnby)  
Land at Hawnby Village**

**NYMNPA**

**20/01/2020**

**For: Mexborough Estates (Hawnby)  
Land at Hawnby Village**



Mrs J Bastow  
North York Moors National Park Authority (Planning)  
The Old Vicarage  
Bondgate  
Helmsley  
York, YO62 5BP

**NYMNPA**  
**20/01/2020**

Your Ref: NYM/2019/0744/FL

My Ref: P2018#0133

20 January 2020

Dear Jill

**Use of land for the siting of 1 no. shepherds hut and wood fired bath together with associated parking for holiday letting use in association with The Hawnby Estate at land north of Tancred House, Hawnby**

Further to your recent correspondence on 11 December and 17 December 2019 in connection with the above we are grateful to be able to provide the following response which is supported by amended plans together with clarification to your recent requests and additional supporting information.

- 1) If it can be confirmed that further to my email of 06 November 2019 the development description makes reference to 'in association with The Hawnby Estate' rather than The Hawnby Inn' that would be appreciated.
- 2) I am pleased to confirm that parking provision associated with the shepherd's hut will now be provided at The Hawnby Inn or by the upper stores (associated with the Inn) or by the Forge.

**For: Mexborough Estates (Hawnby)**  
**Land at Hawnby Village**

- 3) With a view to progressing the application for approval at this stage the application is supported by an amended site plan – **Dwg. No. MEX/HUT/SP.100** which includes:
- Site boundary lines as requested.
  - Existing trees and hedges.
  - Proposed trees (mature trees e.g. Wykeham Mature Plants) and hedges (mix and density included).
  - Other landscaping materials i.e. footpath and 8 no. oak bollards (lighting) to be positioned on the south side of the path so that they are not visible from across the valley.
  - Photographic schedule with annotations and notes included.
- 4) The applicants are most grateful for the opportunity to have the application put into abeyance pending a policy review however in the meantime we have taken the opportunity to prepare further supporting information in relation to the on-going application.
- 5) This includes further research to justify the proposal and why we feel the current application with the provision of the amended plans meets with the current planning policies and therefore should be approved without further delay.

**NYMNPA**

**20/01/2020**

## 1.0 Relevant cases within the NYM National Park

Whilst it is acknowledged that one scheme can't be used to justify another the applicant has carried out extensive research of shepherd's huts that have been recently approved within the NY Moors National Park which are not within established woodland.

The first in the list below was approved as recent as the December Planning Committee as an exception to not being within established woodland.

We also wish to draw your attention to a series of other applications recently approved in the NYM area with supporting text quoted from the Officers report including the reasons for approval:

**NYM/2019/0725/FL** – Alterations to and change of use of garage to provide facilities for cheese production and additional bedroom/bathroom together with roofing over goat pen and use of land for the siting of **1 no. shepherds hut for holiday letting purposes** at Abbey Farm Cottage, Rosedale Abbey – Approve.

[http://planning.northyorkmoors.org.uk/northgate/documentexplorer/application/stream.aspx?target=http%3A%2F%2Flocalhost%2FNorthgate%2FDocumentExplorer%2FDocumentStream%2FDocumentStream.aspx%3Fname%3D2019-11-28%2BPublic%2B%2B-%2BDecember%2BCommittee%2BReport.pdf%26unique%3D815305%26type%3DNLP11GL1DC\\_PLANAPP](http://planning.northyorkmoors.org.uk/northgate/documentexplorer/application/stream.aspx?target=http%3A%2F%2Flocalhost%2FNorthgate%2FDocumentExplorer%2FDocumentStream%2FDocumentStream.aspx%3Fname%3D2019-11-28%2BPublic%2B%2B-%2BDecember%2BCommittee%2BReport.pdf%26unique%3D815305%26type%3DNLP11GL1DC_PLANAPP) – it was confirmed that:

*“With regard to the proposed shepherds hut for self-catering holiday letting purposes, its siting within the rear yard area to the property would not comply with criteria 1 of Development Policy 16 in terms of being located within woodland. However, in all other aspects the proposal accords with the requirements of Development Policies 14 and 16.*

*The site forms part of the curtilage to Abbey Farm Cottage and whilst not within an area of established woodland, there is a significant degree of mature planting about the site which would help soften the impact of the proposal so as to ensure it does not result in harm to the landscape character of this part of the National Park.*

*Indeed, traditionally shepherds' huts would be sited within a field or pasture to tend to grazing sheep and therefore a woodland setting would be to some extent at odds with the character of the accommodation proposed. The proposal will be physically and functionally linked to the existing goat rearing business at Abbey Farm Cottage and be managed from the main property. Furthermore, whilst views would be afforded from the PROW to the west, the shepherds hut would be viewed in the context of the existing buildings at Abbey Farm Cottage”.*



### **Draft Local Plan**

*It is considered that the most relevant policies of the emerging Local Plan are UE1 (Small Scale Tourism Development), UE2 (Development of Existing Tourism and Recreational Businesses), BL3 (Rural Diversification) and BL5 (Agricultural Development) which all continue the thrust of the currently adopted policies of the Core Strategy and Development Policy Document.*

**NYM/2015/0311/FL** – Use of land for the siting of 3 no. shepherds huts for holiday use together with erection of polytunnel at Barnacres, Fylingdales – Approve.

<http://planning.northyorkmoors.org.uk/MVM.DMS/Planning%20Application/811000/811501/NYM2015-0311-FL%20August%20Committee%20Report.pdf> - where it was recognised that:

*“Whilst the huts are not proposed to be sited within woodland, two of the three will be set against a backdrop of mature woodland. The topography of the woodland prevents the positioning of the huts entirely within it.*

*In assessing the proposal, Officers acknowledge that the scheme cannot meet the woodland setting requirements, but it is considered, on this occasion, the siting of two huts on the woodland boundary does not result in a significant level of harm to the landscape character of this part of the National Park.*

*Indeed, traditionally, shepherds’ huts would be sited within a field or pasture to tend to grazing sheep and therefore a woodland setting would be at odds with the character of the accommodation.”*

**NYM/2013/0767/FL** – Use of land for the siting of timber structure (Shepherd’s Hut) to be used as holiday letting accommodation at Consier Farm, Chopgate – Approve.

<http://planning.northyorkmoors.org.uk/MVM.DMS/Planning%20Application/810000/810260/NYM2013-0767-FL%20January%20Committee%20Report.pdf> – Officers deemed:

*“Consier Farm is in a very remote location on the east side of Bilsdale. There is a collection of modern and traditional buildings on the site along with the principle dwelling and Consier Cottage. The planning policy framework is generally supportive of holiday accommodation of this type within established woodland. However, given the form of the proposed accommodation along with its proposed location, adjacent to the existing farm buildings, it is difficult to conclude that the proposed development would be harmful to the special qualities of this part of the National Park. This type of low-key farm diversification is also considered to be beneficial in terms of supporting sustainable farming and landscape management”.*

The setting out of the above cases is intended to provide a few relevant samples of some of the most recent permissions for shepherd's huts which have been permitted outside of established woodland within in the National Park.

## 2.0 Additional justification

It is not practicable in our situation to site a hut in woodland bearing in mind our market and the functional and operational links with which guests using the hut will make with the pub over the road. This facility is within walking distance and after a long period of closure will re-open soon and is a key facility/attraction within the village. Furthermore, siting the hut in close proximity to the pub reduces the need for visitors to travel somewhere else by car and therefore is in our opinion a sustainable location for the unit.

Siting the hut in the woodland with no views defeats the objective here (which is to sympathetically capture the fantastic long range views) and would be dark and damp and bad for the timber building.

Furthermore, many woodlands are not accessible by road and albeit a woodland setting may be in line with NYM planning policy in providing a context for the development however on the Hawnby Estate such places are not often accessible by road despite the policy stating that they must be.

Shepherds hut suppliers have confirmed that many planning authorities do not in fact like this type of development in woodland because they usually prefer the huts be sited away from root protection zones, creation of light disturbance in remote places and habitat protection and so on.

It is confirmed that the position of the hut on the back edge of the orchard (east) will not be visible from the road and will be well screened by existing vegetation and ground levels and poses no impact on neighbouring amenity and would be not be harmful.

### 3.0 Development within the spirit of existing and emerging planning policy

National Planning Policy (NPPF) (2019) is supportive of a prosperous rural economy.

Paragraph 83 of the NPPF states that planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- b) the development and diversification of agricultural and other land-based rural businesses;
- c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
- d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship.

Paragraph 84 of the NPPF states that “planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist”.

In addition the Government’s advice on the pre-application process is that the process is to provide an understanding of the relevant planning policies and other material considerations associated with a proposed development and to work collaboratively and openly with interested parties at an early stage to identify, understand and seek to resolve issues associated with a proposed development, including, where relevant, the need to deliver improvements in infrastructure.

Similarly, to the farming sector, the business section and local Estates such as Hawnby continue to face a period of instability caused by market pressures and changes in farm support mechanisms and of course Brexit. For this reason, businesses are diversifying to supplement their income.

The current NYM Local Plan confirms they are supportive of diversification schemes which will ensure the continued viability of businesses as long as they do not generate an increased level of activity which could harm the character, appearance and natural environment of the area.

A statutory purpose of the National Park is to promote opportunities for the understanding and enjoyment of the special qualities of the Park by the public. The Regional Economic Strategy for Yorkshire and Humber 2006 – 2015 aims to create a broader and stronger economic base for rural communities and encourage sustainable tourism. The Yorkshire and Humber Sub-Regional Investment Plan provides the vehicle by which **the Regional Economic Strategy will be implemented within York and North Yorkshire and highlights the importance of using heritage and the natural and cultural assets of the region as catalysts for economic activity.**

### Emerging NYM National Park Local Plan - Latest news as at January 2020

On 12 November an examination of the draft local plan policies took place to determine whether the plan is in fact sound. Work continues to take place on a new Local Plan for the North York Moors, which will cover the period 2016-35. No decision has been taken on when the new Local Plan will come into force however there is an indication that this is likely to be in the spring of 2020

Emerging **Policy UE1** (Small Scale Tourism Accommodation) is relevant. It will be seeking to introduce requirements for the development of new, small scale tourism accommodation development (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:

1. It is within a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or;
2. It is confirmed that the site forms part of land owned by the Mexborough Estate and whilst not within an area of established woodland, there is a significant degree of mature planting, and vegetation about the site which would help soften the impact of the proposal so as to ensure it does not result in harm to the landscape character of this part of the National Park. The attached photographs illustrate how the structure will be virtually unseen due to the topography and existing features of the site.

Furthermore, the site is physically and functionally linked to an existing permanent business which will be used to manage the accommodation.

The following criteria can be met:

- a) Accommodation has a low environmental impact through limited physical connection with the ground and avoids extensive alteration to ground levels;
- b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;
- c) It is not sited within a residential curtilage;

**For: Mexborough Estates (Hawnby)**  
**Land at Hawnby Village**

- d) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area;
- e) The accommodation can be removed without harm to the landscape and any woodland when no longer required;
- f) The accommodation is of a high quality design which complements its surroundings.

Draft policy UE1 envisages that the intention of the policy is to allow for small scale and sensitively designed and located tourism and recreational development to support local businesses and allow people to enjoy the special qualities of the National Park whilst avoiding sporadic development in unsuitable and unsustainable locations.

In the NY Moors and other National Park's planners are recognising that this type of small scale business diversification can respond to tourism demand without any long-term impact on the landscape. As such Local Development Framework policies must take account of the changing nature of holiday accommodation.

## 4.0 Decision taking

The applicants are querying why the application need to be held in obedience until such a time as the new Local Plan comes into force when:

- Other applications for the same type of tourism development are actively being permitted – as demonstrated above.
- Members of the Authority are approving applications at Planning Committee.
- National Planning Policy is supportive of a prosperous rural economy and the sustainable growth and expansion of all types of business in rural areas and sustainable rural tourism and leisure developments which respect the character of the countryside.

We feel we have been able to demonstrate that this type of development is actively being permitted outside of established woodland under the current development plan in force and notwithstanding the emerging Local Plan we would ask that the development is permitted now rather than wait for the new Local Plan to come into force.

Further to the additional plan submitted (accompanying this justification) and any other revisions that you may require we would ask you to re-consider the recommendation under Development Policy 16.

## 5.0 Final conclusion

With the submission of the amended details the development is in accordance with Development Policy 16 (Chalet and Camping Sites) and the proposal is fit for purpose.

The development is substantially low impact, will be sensitive to its surroundings and one that can be implemented without harm to the orchards setting or the wider village envelope. The LPA are in a position to formulate a controlled permission which will be beneficial to an otherwise uncontrollable use/site similar to the application approved at December's planning committee.

Bearing in mind that this is a relatively low key, small scale development resulting in the loss of a small percentage of orchard within the village and will not harm the special qualities of the locality or the National Park.

The site is in close proximity to the adjacent Hawnby Inn and the adjacent letting rooms and is linked by the road which provides access and parking. Part of the experience is that the site is to some extent off the beaten track, yet it is sustainably linked to other nearby facilities with the aim of keeping visitors in the village for longer periods.

The scale of the development and the design of the proposed structures and associated works including walkway, low level lights and bath tub together with the anticipated levels of activity will not adversely affect the special qualities of the National Park, this part of Hawnby village or the Conservation Area.

The shepherds hut is designed to minimise the level of permanency so that it can be removed, and the land restored when it is no longer required.

The applicants are willing to work with the Authority to find a swift resolution to the case. This initiative is urgently needed for the Estates diversification and for bringing tourists back to Hawnby and for the connection to work hand in hand and co-inside with the re-opening of the pub which is to be the main central hub for the village.

It is hoped that the above provides some clarification for the purposes of your recent correspondence and with respect to the issues raised. Should you require further information please don't hesitate to contact me and we will do all that we can to assist.

Kind regards

*Cheryl Ward*

Cheryl Ward Planning

MSc MRTPI

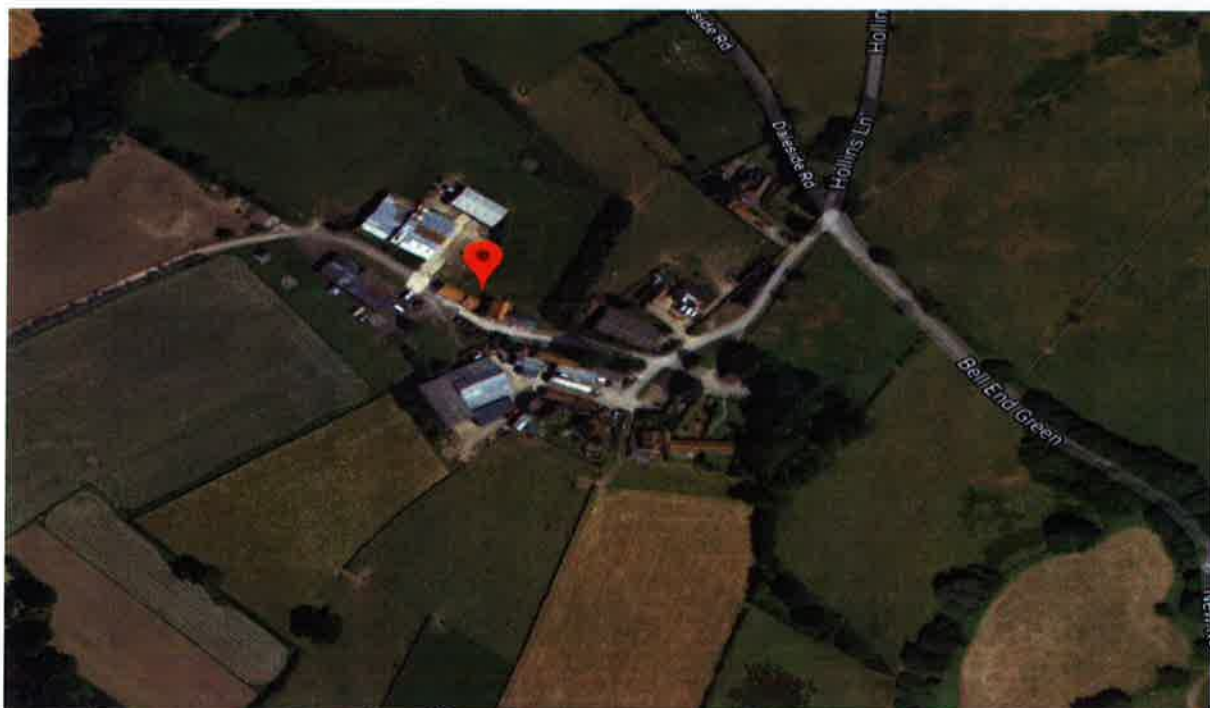
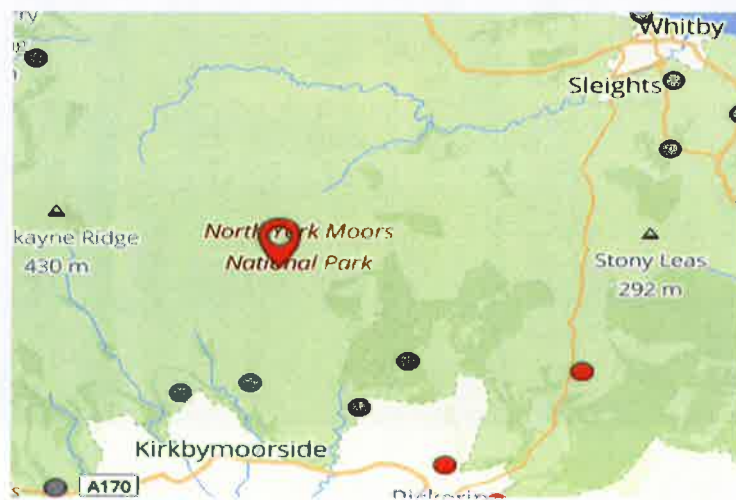
**SHEPHERDS HUTS IN THE NYMNPA**

1. Meadowbeck Shepherds Hut, Barnacres, Low Flask, Fylingdales, Whitby

2 huts



2. Low Bell End Farm, Rosedale





3. The Sheep Shed, Normanby, Whitby — 1 hut



4. Mount Pleasant Farm, Lockton – C&CC certified site and adjacent Shepherd's Hut set on a working farm in the NYMNP, close to Dalby Forest – 1 hut

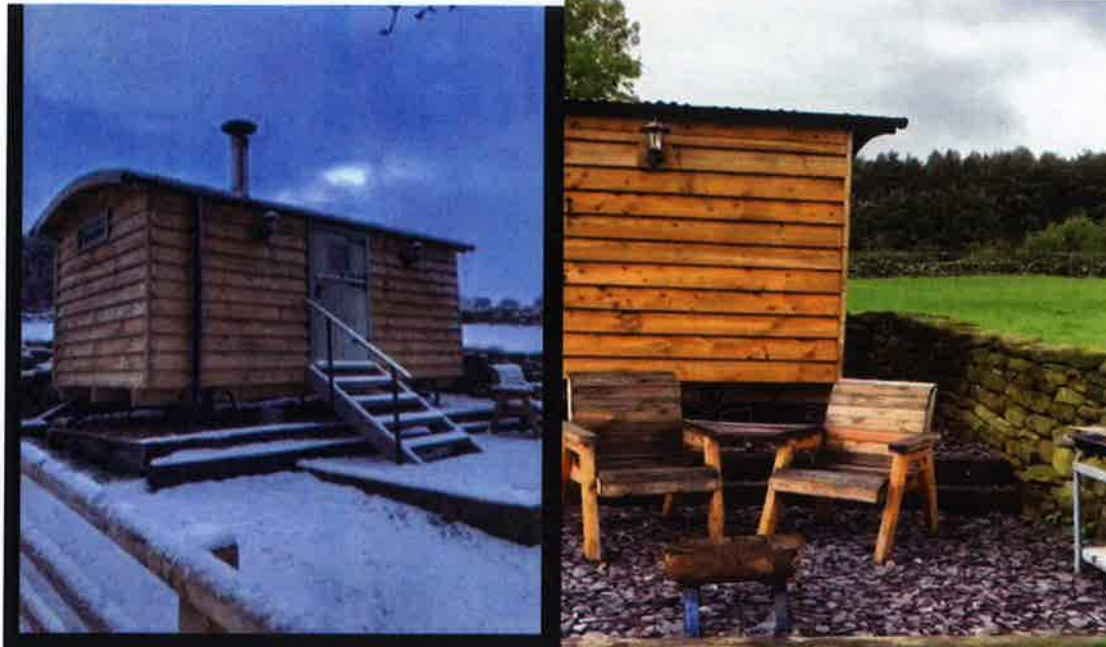




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5. Lockton House Shepherd's Hut, Hawnby — Hut

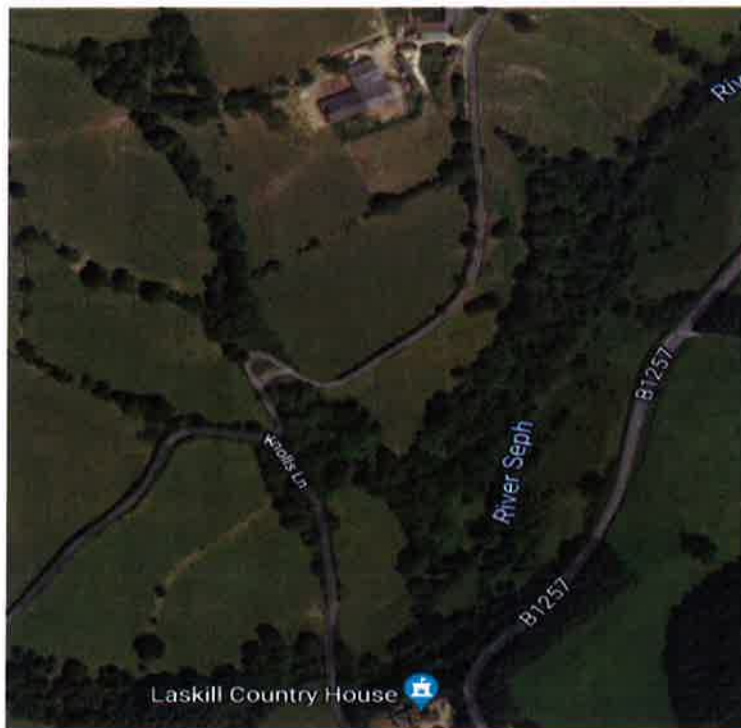






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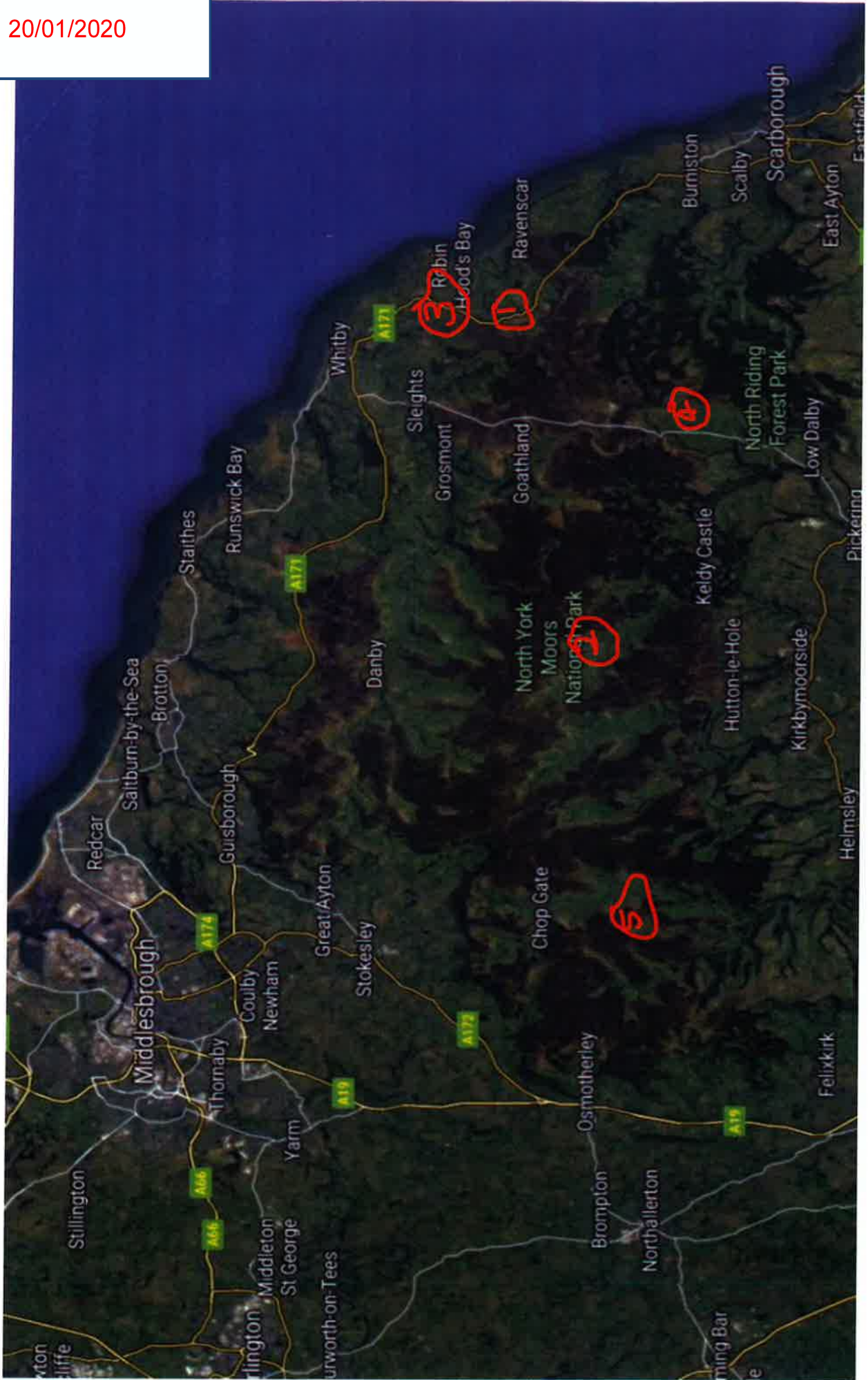
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Location of Shepherds Huts





January 2020  
**MEX/HUT/PHOTOS**

**NYMNP**

**20/01/2020**

**PROPOSED SHEPHERD'S HUT  
LAND NORTH OF TANCRED HOUSE, HAWNBY**

## **EXISTING SITE PHOTOS**

For details of viewpoints for Photos 1 to 4 inclusive, see Rogerson Limited's drawing:  
**"MEX/HUT/SP.100 – PROPOSED SITE PLAN"**

The Google Map extract on Page 4 of this document provides details of viewpoints for Photos 5 to 9 inclusive.



**PHOTO 1:**

Viewed from 1<sup>st</sup> floor window to Tigglewinkle, on opposite side of main road.

Through summer time the existing orchard trees, along with additional trees planted beyond, will screen view of the proposed Shepherd's Hut on the far side of the site (indicated by the arrow).

The Old Post Office  
Stonegrave  
York  
YO62 4LJ



Gerry Rogerson BA Dip (Hons) Arch RIBA



PHOTO 2:

Viewed from main road at point of access into the site, taken from standing position. Topography from this view point will prevent clear view of the proposed Shepherd's Hut. Existing orchard trees visible, and will be supplemented with further orchard trees planted beyond.

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PHOTO 3:

Viewed from terrace to south side of The Inn.

From this vantage point the raised elevation of the site from the Main Road is evident.

The existing row of cottages opposite, along with the existing north boundary holly trees, will screen the proposed Shepherd's Hut, which will be located on the far side of the site.

Supplementary orchard tree planting will also provide screening from cross views further down the garden of The Inn.



PHOTO 4:

Viewed from driveway entrance to Tancred House.

Topography from this view point, together with the retaining wall topped with mature Hawthorn hedgerow, will prevent any clear view of the proposed Shepherd's Hut.

Supplementary wood pasture tree planting will also provide further screening through winter.



GOOGLE MAPS EXTRACT AS KEY TO DISTANCE PHOTOS 5 to 9 Inclusive



PHOTO 5:  
Viewed from the main road at the bottom of the village, adjacent Mill House.  
From this view point the site (indicated by the arrow) is completely screened by topography, houses and trees.  
Note: between here and Photo 4 view point, there are no clear views of the location of the proposed Shepherd's Hut.



PHOTO 6:

Viewed from the main road at the bottom of the village, by the bend, north of the bridge. From this view point the site is completely screened by existing mixed conifer trees in the south-east corner of the site.

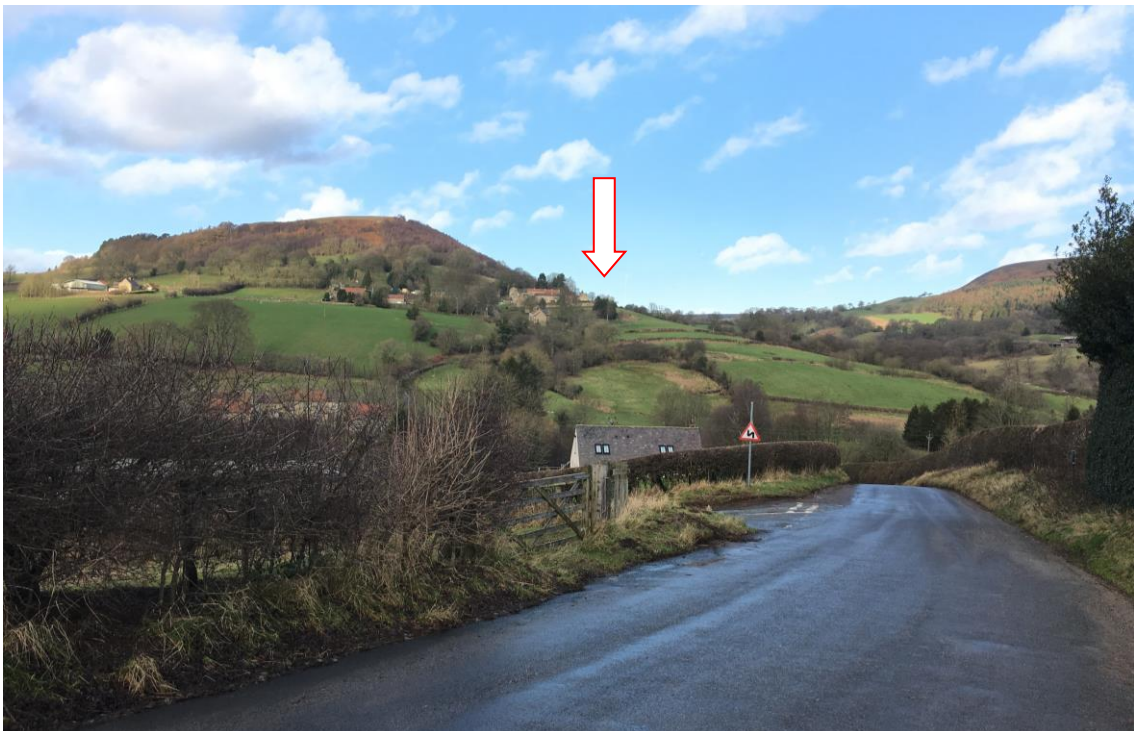


PHOTO 7:

Viewed from the main road, part way up the hill towards the junction with the link road back to the B1257, approximately 800m to the south. From this view point the location of the proposed Shepherd's Hut is largely screened by existing mixed conifer trees in the south-east corner of the site. This will be further strengthened by additional mature tree planting as indicated on the Landscape Plan.



PHOTO 8:

Viewed from the main road linking back to the B1257, approximately 900m to the south.

From this view point the location of the proposed Shepherd's Hut is still largely screened by existing mixed conifer trees in the south-east corner of the site. This will be further strengthened by additional mature tree planting to the eastern boundary, as indicated on the Landscape Plan.

**Note:** This photo was taken from a standing position, looking over a mature roadside hedgerow.



PHOTO 9:

Viewed from the main road linking back to the B1257, approximately 1km to the south-east.

From this view point the location of the proposed Shepherd's Hut can be seen, to the right of the existing mixed conifer trees in the S-E corner of the site. From this point the end elevation of the Shepherd's Hut, being just 2.7m wide, will be seen. While views from the Hut are maintained, additional planting to either side will bolster the existing boundary line. **Note:** This photo was taken from a standing position at a field entrance gate, set within a mature roadside hedgerow.