

North York Moors National Park Authority

Borough: Scarborough Borough Council
Parish: Cloughton

Application No. NYM/2020/0127/FL

Proposal: erection of extension to existing livestock building

Location: land to the south east of Ellis Close Farm, Harwood Dale Road,
Cloughton

Decision Date: 17 April 2020

Consultations

Parish - No objection.

Highways - The application is for the extension of an agricultural building which is accessed from Harwood Dale Road via a stoned access track. There are no objections in principal to the proposed extension of the building on the clear understanding that the access within the highway is constructed to the local highway authority required standard. Recommend condition.

Environmental Health Officer - No comments to make from a Commercial Regulation perspective at this time.

Site Notice Expiry Date - 31 March 2020.

Director of Planning's Recommendation

Approval subject to the following conditions:

- Standard Three Year Commencement Date**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- Strict Accordance With the Plans/Specifications or Minor Variations**
The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
- Roof Colouring (dark grey)**
The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained **dark grey** and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
- Building to be Removed if Not Used for Agriculture**
If the use of the building for the purposes of agriculture within the unit permanently ceases within five years from the date on which the development was substantially completed, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building to a purpose other than agriculture has been approved.

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5. **Private Access/Verge Crossings: Construction Requirements (part 1 of 2)**
 Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
- d. The crossing of the highway verge shall be constructed in accordance with either Standard Detail number **E9A (bituminous) or E2 (concrete)**.
 - e. Any gates or barriers shall be erected a minimum distance of **12 metres** back from the carriageway of the existing highway and shall not be able to swing over the existing or proposed highway.
 - g. Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway shall be constructed and maintained thereafter to prevent such discharges
 - h. The final surfacing of any private access within **2 metres** of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

6. No trees, shrubs or hedges on the west, south west or south east boundaries of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 5837 (2012) Recommendations for Tree Work. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
7. The building hereby approved shall be fitted with appropriate guttering directed to soakaway or field drain to ensure that clean water captured on the roof does not become fouled by machinery or stock movements in the yard area.

Informatives

1.	<p>Private Access/Verge Crossings: Construction Requirements</p> <p>In relation to condition 5 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.</p>
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Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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4. In order to comply with the provisions of NYM Development Policy 12 which seeks to ensure that there is a functional requirement for the building in the long term to justify an exception being made to normal planning policies which seek to restrict new development in the countryside.
5. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
6. In order to comply with the provisions of NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
7. To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.



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**Background**

Ellis Close Farm is located in Harwood Dale and comprises a compact farmstead on the south side of the Harwood Dale Road, but the majority of associated land on the opposite side of the road.

This application seeks full planning permission for the construction of an extension to agricultural building which was approved in 2014, located to the south-east of the main farmstead, in a location detached from the main farm yard. The main farmyard has reached its maximum capacity for buildings and whilst development on this side of the road has been resisted in the past, the existing building gained approval on the basis the site is well-screened by a dense, well established/mature tree belt between the site and the road which minimises the impact of the development in public views. The trees are within the applicant's ownership and therefore considered to be an acceptable screen.

The approved building measured 18 metres by 30 metres with a height to the ridge of 4 metres. It is constructed with a concrete block work dwarf wall with Yorkshire boarding above under a dark grey fibre cement roof. The building has an open front facing north-east (into the site) and is used for the housing of livestock and machinery.

This application proposes an extension to the south-east gable, measuring 13.7 metres with matching gable width, eaves and ridge height to the main building. The design and materials would match the host building.

Main Issues

The relevant policy contained within the NYM Core Strategy and Development Policy Document to consider with this application is Development Policy 12 (Agriculture).

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DP12 seeks to permit proposals for new agricultural buildings, tracks and structures or extensions to existing buildings where there is a functional need for the building, the building is designed for the purposes of agriculture, the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location, and a landscaping scheme which reduces the visual impact of the proposal on the wider landscape is submitted as part of the proposal.

The proposed extension is clearly designed for the purposes of agriculture, matching the host building in all respects. In terms of landscape impact, the proposal is considered to have minimal impact by virtue of the fact it relates to the least visible elevation of the host building which is also furthest from the site access and adjacent public footpath. The extension would be partially obscured in views from the footpath by the topography of the site and substantially screened from the road by the existing tree belt.

Although this building is away from the main farmstead and was approved in view of the very specific circumstances of the main site and merits of this location, as an extension rather than a stand-alone new building, Officers have few concerns in respect of expansion of this site. The original application took into account the proximity to the main farmstead and it has been proven that this site has not resulted in any operational problems or impact on local residents.

The Authority's Ecologist has reviewed the application and confirmed no objection. However, it is recommended that a condition is included for the installation of appropriate guttering directed to soakaway or field drain to ensure that clean water captured on the roof does not become fouled by machinery or stock movements in the yard area around the proposed building. In view of the significant efforts by bodies such as Natural England and project work to improve build quality and farmyard handling of dirty water to improve local river quality, this condition is considered to be reasonable and appropriate given the wider agenda.

The Parish Council and Environmental Health Officer have no objection to the proposal and no other representations have been received. The proposed extension is of relatively modest proportions and subject to the site access being constructed in accordance with the Local Highway Authority advice/specification, approval is recommended.

Draft Local Plan

Local Plan Policy BL5 relates to Agricultural Development and is similar in nature to the existing agricultural policy. However, objections have been raised to the emerging policy and therefore no weight can be attached to it at this time.

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.