

North York Moors National Park Authority

Ward: Scarborough Borough Council (South)
Parish: Hackness

App No. NYM/2020/0232/FL
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Proposal: erection of extension to agricultural building to house livestock

Location: Thirlsey Farm, Suffield,

Applicant: Mr JC Malthouse, Thirlsey Farm, Inn Moor to Thirlsey, Suffield,
Scarborough, YO13 0JR

Agent: Cundalls, fao: Mr William Tyson, 15 Market Place, Malton , YO17 7LP,
North Yorkshire

Date for Decision: 13 July 2020

Grid Ref: 497678 491517

Consultations

Parish - No objections.

Environmental Health Officer - No objections.

Forestry Commission - Refer to standing advice.

Site Notice Expiry Date - 18 June 2020.

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 **Standard Three Year Commencement Date**
The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. PLAN01 **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**
The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

| Document Description | Document No. | Date Received |
|---------------------------|------------------|---------------|
| Location Plan | c012 SP-001 | 01 April 2020 |
| Site Plan | N/A | 01 April 2020 |
| Elevation & Cross Section | c012 GA-01 | 28 May 2020 |
| Roof Plan | c012 GA-02 | 28 May 2020 |
| Technical Specification | c012 3D-01 | 28 May 2020 |
| Design & Access Statement | Author: Cundalls | 18 May 2020 |

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3. MATS19 **Roof Colouring (insert)**
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.

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4. LNDS01 **Landscaping Scheme Required (insert)**
 Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for a **screening belt of native trees and hedging to the north east and south** and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
5. MISC03 **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.

Informative

1. INF00 The applicant is advised that the building should be fitted with guttering to storage or soakaway to prevent clean water becoming fouled by mud created by vehicle movements.

Reasons for Conditions

1. TIME01 To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. PLAN01 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. MATS02 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.
4. LNDS01 In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
5. MISC03 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.

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**Background**

Thirsley Farm is an established farmstead located in an isolated location on open land between Hackness and Harwood Dale. The group of traditional farmstead buildings are Grade II Listed.

The farming enterprise is quite large and a mixed holding including livestock and productive arable land. Planning permission was granted in 2014 (a revised scheme) for a large agricultural building to house 1,000 bed and breakfast pigs. The proposed building was amended to reduce its impact from public vantage points to the north and took the form of an almost square-plan form under a double ridged roof. One side of the building comprises six bays with the other slightly smaller, at five bays. The permission has been implemented and the development completed.

An agricultural prior notification was submitted in 2019 proposing to extend the building to provide storage space for straw to be used as animal bedding and also for use with the farm's biomass boiler. It was proposed to extend each part of the shed by two and three bays respectively, to match the existing proportions and materials, resulting in a uniform shed. No objections were offered.

The current proposal is identical to the scheme put forward under prior-notification in terms of size, scale, design and materials however, the reason full planning permission is now required is because the extension will also provide housing for livestock and is within 400m of a protected dwelling.

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Main Issues

The relevant policy contained within the NYM Core Strategy and Development Policy Document to consider with this application is (Development Policy 12) and looking ahead to the Draft Local Plan, the relevant emerging Policy is BL5 (Agricultural Development).

Development Policy 12 of the Local Development Framework 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.

BL5 is supportive of new agricultural buildings and structures or extensions to existing buildings where: the form, height and bulk is appropriate to its setting; there is a functional need for the development; it can be demonstrated that there are no suitable existing buildings; the building is designed for agricultural purposes; the site is related physically and functionally to existing buildings unless there is an exceptional agricultural need for a more isolated location; the proposal will not significantly harm local amenity and; in the absence of existing screening, a landscaping scheme is provided.

The farm is visible in the landscape but nestles quite well amongst the mature tree belts and screening. Consequently, the original, historical yard is quite tightly defined and characterised by buildings of a similar size, scale and design. The large modern building which is proposed to be extended under this application is to the west of the yard, beyond the tree belt. Views of the building can be obtained from the nearby public rights of way network, however as the proposal relates to a relatively modest extension to an existing modern building, the visual impact of the extension is considered to be relatively low. The Authority is satisfied that the proposed extension is suitably designed for the purposes of agriculture in terms of its scale and design by virtue of the fact it matches the host building. Consequently, the proposal is not considered to have an unacceptable adverse impact on the character of the wider open agricultural landscape of this part of the Park; it is preferable to extend the existing building as opposed to constructing a new building.

On the basis the host building carries a condition requiring it to be removed from the site if agricultural use ceases, it is considered necessary to repeat the condition as it is effectively one building (this condition is now included as part of emerging Policy BL5).

The Environmental Health Officer requested further clarification of the proposed handling of slurry/manure together with confirmation of the use/ownership/occupation of the nearby cottage and whether it was served by a private water supply. The applicant's agent has provided the requested information (together with a copy e-mail from the occupant of the cottage that they have no objection to the proposal) and the Environmental Health Officer has confirmed that they have no objections to the proposal. The other areas of concern (such as private water supply and odour issues) have their own separate regulatory channels so can be picked up elsewhere if the need arises in the future.

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The Authority's Woodland Officer has advised that the original permission was granted subject to a landscaping scheme being approved and implemented. Although the current aerial photographs show that the building is in situ, there is no evidence of the landscaping scheme having been carried out in the position indicated on the approved plans dealt with in 2014. Consequently, further clarification is required, together with assurance being provided that the approved landscaping will be further enhanced in order to provide appropriate screening for the proposed extension (if approved). The applicant has advised that work has commenced on the approved planting scheme but some of the trees did not take and therefore, work is on hold until planting can re-commence. The applicant has confirmed that he is willing to extend the planting scheme to take into account the proposed extension and that a condition to secure the above is acceptable.

The Parish council has registered no objection to the proposal and no other representations have been received.

Officers are satisfied that there is a functional need for the building and that the building has been designed for the purposes of agriculture within the unit. It is not considered that the building would cause unacceptable harm to neighbouring amenities, the setting of the house or the wider National Park landscape. Consequently, in view of the above and subject to the recommended conditions, approval is recommended.

Pre-commencement Conditions

Condition 4 is a pre-commencement condition and has been agreed in writing with the applicant/agent.

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 identifying areas of the application which required further information/clarification with the applicant's agent and requesting the submission of additional information to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.