

North York Moors National Park Authority

Ward: Scarborough Borough Council (North)
Parish: Fylingdales

App No. NYM/2020/0420/FL
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Proposal: erection of 2 no. agricultural livestock buildings

Location: Hogarth Hill Farm, Boggle Hole Road, Fylingdales,

Applicant: Mr and Mrs D & A Pattinson,
Hogarth Hall, Boggle Hole Road, Fylingdales, Whitby, YO22 4QQ

Agent: Cheryl Ward Planning,
5 Valley View, Ampleforth, York, YO62 4DQ

Date for Decision: 17/08/2020

Extended to: 26/08/2020 **Grid Ref:** 493132
501722

Director of Planning's Recommendation

Approval subject to the following condition(s):

- 1 The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
- 2 The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Proposed Location Plan	D11871-02 Rev A	22 June 2020
Proposed Farm Shed Floor Plans	D11871-05 Rev A	22 June 2020
Proposed Farm Shed Elevations	D11871-06 Rev A	22 June 2020
- or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
- 3 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.
- 4 Any rubble, machinery or other debris within the vicinity of the new building hereby approved that is to be cleared must be cleared by hand prior to construction. If any newts are found, work must cease immediately and Natural England shall be consulted for advice.
- 5 Guttering shall be installed on the building hereby approved which shall funnel into a soakaway or similar.
- 6 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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- 7 No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

Reason(s) for Condition(s)

- 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 Strategic Policy A and NYM Strategic Policy C, 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 Strategic Policies A and C which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 4 This is due to the small risk that great crested newts may be utilizing the area given the proximity of ponds and records in the wider area and in accordance with Strategic Policy H which seeks to ensure the habitats of protected species are not harmed.
- 5 To avoid pollution of watercourses and to comply with the provisions of NYM Policy ENV1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
- 6 In order to comply with the provisions of NYM Policy BL5 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.
- 7 In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.

Consultations

Parish – 21 July 2020 - No objections

Highways – No objections

Natural England – 4/8/2020 – No objections

3/8/2020 - We have reviewed our previous response and based on the relatively small size of development, and the low ammonia emission factor of sheep, we have decided that a SCAIL assessment is not required for this development.

6/7/2020 – Insufficient information

Forestry Commission – 3 July 2020 - Standing advice re ancient woodlands

Site Notice Expiry Date – 21 July 2020

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**Background**

Hogarth Hill Farm occupies an isolated position on the south side of Bridge Holm Lane which leads from the A171 to Boggle Hole and Fylingthorpe. It comprises the farmhouse on the east side of the access track and large modern agricultural sheds on the west side. The farmhouse and the farm buildings are well screened in the wider landscape by the existing woodland planting to the north, east and west of the site.

Permission was granted for the erection of an agricultural building in 2019 to extend this agricultural building.

This current application seeks permission to fill-in the remaining open part of the yard and connect the buildings to form a continuous run of livestock housing.

The proposal building would comprise a pitched roof building and attached lean-to with both sides butting up to existing buildings on the north and south sides. The larger building would measure 30 metres long x 15 metres wide with a height of 4.6 metres to the eaves and 6.6 metres to the ridge. The smaller lean-to building would measure 30 metres long x 7.5 metres wide with a height to the ridge of 4.6m.

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The buildings are to be constructed from concrete panels or blocks at a lower level together with Yorkshire boarding under a dark grey corrugated sheet roof.

The applicant's agent has advised that the building is required for animal welfare point to provide sheltered accommodation for livestock predominantly during lambing time, general livestock housing when it is needed and additional farm storage purposes (fodder). The building will predominantly be used to house sheep not cattle.

Main Issues

The relevant policy of the Local Plan is Policy BL5 – Agricultural Development. This policy seeks to permit new agricultural buildings where the scale is appropriate to its setting and will not have an adverse impact on the special qualities of the National Park; there is a functional need for the development; it can be demonstrated that there are no suitable existing buildings available; the building is designed for the purposes of agriculture and is related physically and functionally to existing buildings; the proposal will not significantly harm local amenity; and in the absence of existing screening, a landscaping scheme is provided.

The buildings will be sited in between to existing buildings and will be screened by existing well established tree belts both east and west. The buildings are considered to be of a suitable size and will relate functionally to the existing steading.

The Authority's ecologist has commented on the application and has requested that guttering is installed on the property to ensure rainwater run-off is managed. Furthermore, due to the close proximity of ponds to the site, it has been requested that the rubble and debris that needs to be removed to make way for the building is done so by hand. This is due to the small risk that great crested newts may be utilizing the area. If any newts are found, work must immediately cease and Natural England consulted for advice.

It is considered that the above developments accords with BL5 and approval is recommended.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.