

# North York Moors National Park Authority

---

Parish: Cloughton

App No: NYM/2021/0072/FL

---

**Proposal:** retention of agricultural storage building not built in accordance with NYM/2018/0002/AGRP

**Location:** Linglands Farm, Gowland Lane, Cloughton

**Applicant:** Mr Brian Thompson, Beacon Cottage Farm, Beacon Works, Scalby, Scarborough, North Yorkshire, YO13 0RB

**Agent:** Norman and Gray Ltd, fao: Mr Richard Feaster, 1 Malton Road Business Park, Malton Road, Pickering, North Yorkshire, YO18 7JW

**Date for Decision:** 08 April 2021

**Extended to:**

---

## Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. GACS07 **External Lighting - Submit Details**  
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.
2. LNDS03 **Trees/Hedging to be Retained (insert)**  
No trees, shrubs or hedges **to the north, east or west** 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 3998:2010 Tree Work - Recommendations. 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.
3. RUSO00  
The development hereby permitted shall be used for general purpose agricultural storage associated with the unit known as Linglands Farm and for no other purpose. There shall be no alteration or conversion of the building hereby permitted to any other use and it shall not be used for livestock housing without a separate grant of planning permission from the Local Planning Authority.
4. 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.

---

**Application Number: NYM/2021/0072/FL**

---

**Reasons for Conditions:**

1. GACS00 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 and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
2. LNDS00 In order to comply with the provisions of Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
3. RSU00 In order to enable the Local Planning Authority to retain control over the use of the building and to ensure compliance with Strategic Policy A and Policy BL5 of the North York Moors Local Plan, which seek to protect local amenity.
4. MISC00 In order to comply with the provisions of Strategic Policy A and Policy BL5 of the North York Moors Local Plan 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.

**Consultations**

**Parish** - Council is concerned about the size of the building since it is considerably larger than the 465 sq. m. allowed under the agriculture notifications law extant at the time of the application and decision although it is accepted that were this application to be submitted now, it would qualify for the Part 6 exemption on size grounds.

However, Council is concerned that while the original application did not show any rooflights - the building currently applied for shows 40 rooflights and says the building is to be used for storage of straw and farm machinery. It is thought that the angle of the roof will result in sunlight being reflected from the rooflights - this will mean the building being visible from a considerable distance.

Council therefore asks that 1] use of the building is restricted to the storage of agricultural produce produced on this agricultural holding and farm machinery (i.e. use for housing livestock is specifically prohibited) and 2] the rooflights are removed and replaced with ordinary roof sheets.

**Highways** - No objection.

**Site Notice Expiry Date** - 15 March 2021.

---

**Application Number: NYM/2021/0072/FL**

---



Photographs showing long distance view of Linglands Farm (from Gowland Lane). Lingland Farm is to the left of the picture within woodland.



View of farm yard from access track

---

**Application Number: NYM/2021/0072/FL**

---



Photograph shows pair of new agricultural buildings with concrete apron and backdrop of mature trees. The buildings are both steel portal framed, with concrete panels to the elevations with dark green box profile sheet above and in the gable apexes. The buildings are attached side-by-side with gables facing forward. The building in the foreground (left) is open fronted with round straw bales and fertiliser in storage and subject of this application NYM/2021/0093/FL. The furthest building is enclosed by tall timber sliding doors and under consideration in companion application NYM/2021/0072/FL.

### **Background**

Linglands Farm occupies a very well screened position, set back approximately 300metres from Gowland Lane, accessed via a private road. The site comprises a stone farmhouse with adjoining cottage, a range of traditional and portal framed livestock buildings and approximately 176 acres of land. The agricultural buildings are located within a parcel of mature woodland which almost entirely screens the yard from view.

The site was taken into new ownership in recent years and in 2018 an agricultural prior notification was approved for a new steel portal frame building measuring 24.38metres by 18.29metres constructed from concrete panels and fibre cement roof sheets. At that time, it was reported that the building was required for the adequate storage of produce grown on the land as the existing buildings did not meet the requirements of various crop assurance schemes as a result of their age and design.

The development was implemented however, it has come to the Authority's attention that the building has not been constructed in accordance with the approved plans and therefore, retrospective permission for the retention of the building as built is sought under this application.

---

**Application Number: NYM/2021/0072/FL**

---

The building is constructed on a slightly adjust footprint and is larger than the original plan. The dimensions as built are: 30.4 metres by 19.8 metres, 6.1 metres to eaves and 8.5 metres to ridge. The north, south and west elevations are enclosed by concrete panels with plastic coated sheets above. The roof is covered with anthracite fibre cement roof sheets including rooflights. The east (front) gable elevation is fitted with a pair of tall vertical timber sliding doors. The use of the building remains as originally proposed for the storage of grain and farm produce.

There is a companion application also under consideration for the second building on site for retrospective permission, ref.: NYM/2021/0093/FL.

**Policy Context**

The relevant NYM Local Plan policy to consider with this application is BL5 (Agricultural Development). 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.

**Main Issues**

The main issues are therefore considered to be whether there is a functional need for the building and whether its position, design and use is appropriate for the location and wider National Park setting.

To a certain extent, the principle of the development has been established through the earlier agricultural notification. However, since the proposal is to be determined through the full planning application process, greater detail and policy context is to be applied.

The proposed building does extend the existing farmyard to the north into an area of woodland. However, the existing yard is relatively small and opportunities for additional buildings within it are very limited. The building is located in close proximity to the original buildings, constructed within a clearing where aerial photographs reveal that silage bales have previously been stored. There is a clear physical and functional relationship to the main farm. While some of the original buildings were no longer of a suitable quality and standard to meet current regulations for the storage of agricultural produce, they have been retained to provide ancillary storage. The poorest quality buildings have been removed.

In terms of design and materials, the building is clearly designed for agricultural purposes. The Parish Council has expressed concern in relation to the use of rooflights and the possibility of sunlight reflecting off the roof, particularly the rooflights, causing it to be visible in long distant views. The concerns of the Parish Council are noted, however; in this particular case, Officers consider that the nature of the fibre cement roof sheets (which tend to be less reflective) together substantial mature woodland planting, are sufficient to almost eliminate the possibility of unacceptable glare from the sun. The site is very well screened from most long distance views by the mature woodland setting so the opportunity for reflection from the clear roof sheets is extremely limited. The building(s) have been in situ since April 2018 and during that time the Authority has not received any complaints either in respect of their existence or their effect in landscape terms.

---

**Application Number: NYM/2021/0072/FL**

---

Unlike the modern buildings at the neighbouring Hodgson Moor farm to the north, the buildings at Linglands Farm are barely visible from Gowland Lane by virtue of their woodland setting. Consequently, it is considered reasonable to include a condition to protect the surrounding woodland screening in accordance with the specific landscape requirements of Policy BL5 and to alleviate the concerns of the Parish Council in relation to the use of rooflights and sunlight reflection.

The building is proposed for general storage of dry goods and no mention of livestock housing has been made. The Parish Council has also requested that a condition be included to prevent the building being used to house livestock.

The building is clearly designed for storage purposes as opposed to livestock use but on the basis of the information submitted, it is considered reasonable to add a condition to reinforce the proposed use (excluding livestock housing) for the avoidance of doubt in the future.

The Authority's Woodland Officer supports the use of a condition to protect the woodland which screens the site and further advises that the woodland overall is protected to some extent by the Forestry Act which means it cannot be felled wholesale without being replanted.

For the reasons outlined above, the building is considered to comply with the requirements of Local Plan Policy BL5, together with the advice contained within Part 5 of the adopted Design Guide. There being no further objections or comments, approval is recommended.

**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.