

## North York Moors National Park Authority

Parish: Hawsker-Cum-Stainsacre

App No: NYM/2020/0574/FL

**Proposal:** construction of detached shed for storage/workshop/recreational use incidental to the dwelling

**Location:** Stainsacre Hall, Stainsacre

**Applicant:** Mr John Collinson, Stainsacre Hall, Stainsacre Lane, Whitby, YO22 4NT,

**Agent:** Bell Snoxell Building Consultants, fao: Mr Louis Stainthorpe, Mortar Pit Farm, Sneatonthorpe, Whitby, YO22 5JG

**Date for Decision:** 05/10/2020

**Extended to:**

### Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.															
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed East Elevation</td><td>8115-04-B</td><td>9 Feb 2021</td></tr><tr><td>Proposed North &amp; West Elevations</td><td>8115-05-B</td><td>9 Feb 2021</td></tr><tr><td>Proposed South Elevation</td><td>8115-06-B</td><td>9 Feb 2021</td></tr><tr><td>Proposed Floor Plan</td><td>8115-07-B</td><td>9 Feb 2021</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Proposed East Elevation	8115-04-B	9 Feb 2021	Proposed North & West Elevations	8115-05-B	9 Feb 2021	Proposed South Elevation	8115-06-B	9 Feb 2021	Proposed Floor Plan	8115-07-B	9 Feb 2021
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3.	RSU000	The building hereby approved shall only be used for storage and workshop purposes incidental to the occupation of the main dwelling on the site known as Stainsacre Hall and shall not be let off or used for any other purpose including for the manufacture of goods for sale or storage in association with any commercial business. Furthermore there shall be no alteration or conversion of the building hereby permitted to permanent residential accommodation. Any change of use or alteration will require a separate grant of planning permission from the Local Planning Authority.															
4.	MATS01	No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.															

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5.	MATS19	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.
6.	GACS00	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 Dark Skies compliant, fitted with a PIR and contain a warm white bulb of 3000k or less and no more than 500 lumens and shall be installed in accordance with the details so approved and maintained in that condition in perpetuity.
7.	LNDS00	The development hereby permitted shall be carried out in accordance with the Arboricultural Method Statement as set out in sections 5, 6 and 7 of the Arboricultural Report by Elliott Consultancy dated April 2021.
8.	LNDS00	No work shall commence on the surfacing of the access to the building hereby permitted until full details, including samples of materials if so required, have been submitted to and approved in writing by the Local Planning Authority. The access surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.

**Reason(s) for Condition(s)**

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park.
3.	RSUO00	In order to enable the Local Planning Authority to retain control over any commercial activity or any future changes to the building to ensure compliance with Strategic Policy A and Policy CO17 of the North York Moors Local Plan, which seek to protect the amenity of local residents and conserve and enhance the special qualities of the National Park, and to ensure compliance with Strategic Policies B and M of the North York Moors Local as the building is in a location where the formation of a separate dwelling unit would not normally be permitted.
4.	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.

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5.	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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.
6.	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.
7.	LNDS00	The trees within the vicinity of the site are of significant amenity value and every effort shall be made to protect them in accordance with Policy ENV1 of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
8.		In the interests of the satisfactory appearance of the development and in order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that development proposals incorporate suitable hard landscaping details.

## Consultations

**Parish** – No objection however request that the shed is specified for personal use only.

**Highways** –

**Forestry Commission** –

**Site Notice/Advertisement Expiry Date** – 9 October 2020

**Others** –

Michael & Susan Menier, Kempton, Stainsacre – Raise no objection provided that:

- The new structure will not be used for any industrial or commercial purpose(s) now or at any future time, i.e. no change of use application(s) would be approved by yourselves;
- Traffic flows to and from the proposed works through the village and down the access lane will be minimised and within reasonable working hours (the access lane is directly adjacent to our cottage);
- The access lane is maintained to a reasonable standard and not allowed to deteriorate further due to the size and quantity of heavy vehicles, plant and agricultural vehicles entering and leaving the grounds of Stainsacre Hall.

John Stainthorp, The Old Forge, Stainsacre – Makes the following comments:

- The applicant's business interests are multiple, including: National and International Steel Fabrication and Erection, Joinery workshop and Tool/Plant Hire. Current circumstances have their extensive business workshop and offices at Whitby Business Park on the market for sale with Hendersons Estate Agents in Whitby.

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- The applicant has worked hard to bring the historic Stainsacre hall back from derelict, into the fine building it is today.
- We appreciate that the application is for uses incidental to the main building. However, concern is expressed that some commercial workshop use may be incorporated within this huge unit being applied for.
- The tranquillity of the small village of Stainsacre is important and under threat from: loss of services; encroaching housing development from the direction of Whitby; and increasing size, weight, volume, vibration & noise of all manner of traffic through its geography to the potash mine and the ever increasing size and power of agricultural machinery.

Mike and Linda Allison, The Farm, Stainsacre – Express the following concerns:

- The potential increase in traffic both through the village and down the lane alongside our house during the construction works.
- That the building will be used for industrial or commercial purposes and request assurances that no part of the new building will be used for industrial or commercial purposes at any time either now or in the future, i.e. no change of use application would be approved by yourselves. Any change of use would obviously result in additional traffic through this quiet village, located in a National Park. The additional traffic would also cause noise throughout the day as well as traffic pollution.

Mrs T Tinnion, Woodbine Cottage, Stainsacre – Expresses the following concerns:

- Stainsacre is a small village and is already struggling with the amount of heavy traffic that passes through here and also the heavy plant machinery that comes and goes from Stainsacre Hall.
- This may start as a private and personal unit but may at a later date be changed to an industrial business and as such the nature of the village will alter considerably due to the increased traffic, noise and pollution and our properties will decrease in value.



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**Background**

Stainsacre Hall is a substantial cream rendered property occupying a 13 acre site on the west side of Stainsacre village accessed via a long private drive. It was originally built as a private residence some 130 years ago but was purchased in 1961 by Cleveland County Council and converted into an outdoor education centre. Its design features include substantial bay projections to the front elevation and high gables but it has been unsympathetically extended in the past with single storey flat roof extensions to either side.

Planning permission was granted in December 2012 for the change of use of the property into a single private dwellinghouse and it is now occupied as such. Following that in April 2013 planning permission was granted for various alterations to the property to improve its appearance, notably the introduction of pitched roofs to the two flat roof extensions on either side of the main building, along with revisions to the drive and parking area and the provision of a detached stable block and tractor garage. That permission has been implemented with the provision of the stable building and work is ongoing on the pitched roofs as seen in the attached photographs. In October 2013 permission was granted for alterations to the detached former campsite toilet block to the northwest of the main building to form a family games room. The works have been completed but the use as a holiday letting cottage is unauthorised; the agent has been made aware of this.

This application seeks planning permission for the construction of a large shed within the domestic curtilage of Stainsacre Hall. It would be located to the rear (west) of the hall where the site is enclosed by the Hall itself to the east, the high stone garden all to the north and the woodland to the west. Access would be via the existing driveway which presently skirts round to the south of the hall itself and provides access to the stable building and the menage (unauthorised). The plans show that the access would be extended to the west leading to a yard area immediately in front of the south elevation of the building. The building itself would measure 24 metres by 15 metres having been reduced in size from the original proposal of 30 metres by 15 metres. It would be a mono-pitched structure with an overall height of 7 metres to the east side. Owing to the ground levels it is proposed to excavate the site so that the building would sit as low as possible on the site; the roof would be no higher than the existing garden wall to the north and from the Hall itself, all that would be visible would be 2 metres of the east wall which will be clad in Yorkshire boarding to give the appearance of a fence. The front (south) elevation would be constructed in stone to 2 metres and Yorkshire boarding above and the west elevation would be clad in green profiled steel sheeting; grey fibre cement sheeting is proposed to the roof.

The agent has confirmed that the building is required for purposes incidental to the residential use of Stainsacre Hall as the applicant has numerous hobbies and a large amount of equipment for maintaining the extensive grounds which include the domestic curtilage, grassland and woodland (total of 13 acres). As such the building will be used for the storage of grounds maintenance equipment including trailers, toppers, flail mower, ride on mowers, winches, large tractor hedge cutter, saw benches, loader buckets etc.; horse trailer and horse box; grass track racing vehicles; collection of vintage and classic tractors along with the associated transport trailer and attachments. With nearly all of the above-mentioned items, workshop space is essential so as to maintain, repair and refurbish the



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vehicles and equipment. Undercover storage is considered essential to ensure the condition of the equipment and vehicles, provide security and also maintain a tidy site.

In addition to this application there is another application under consideration for the construction of a treehouse for holiday letting accommodation in the woodland to the north west of the Hall.

**Main Issues**

The relevant policies of the Local Plan are considered to be Strategic Policy A (Achieving National park Purposes and Sustainable Development), Strategic Policy C (Quality and Design and Development) and Policy CO17 (Householder Development).

Strategic Policy A takes a positive approach to new development in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes.

Strategic Policy C seeks to maintain and enhance the distinctive character of the National Park, and supports new development which meets a number of criteria. It requires proposals to be of a high quality design that will make a positive contribution to the local environment; to incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the local vernacular; and be of a scale, height, massing and form compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers.

Policy CO17 is supportive of approval for domestic outbuildings where they are required for purposes incidental to the residential use of the main dwelling; are proportionate in size and clearly subservient to the main dwelling; and be located in close proximity to existing buildings.

Extensive negotiations have been undertaken with the agent to try to reduce the scale and revise the design of the proposed shed so as to be more typical of an outbuilding found within the domestic curtilage of a large Victorian property like Stainsacre Hall. The footprint and height has been reduced but the proposal remains one of a large industrial/agricultural steel portal frame building. The agent has set out the applicant's need for such a large building, referring to the need for storage of the applicant's vehicles associated with his hobbies – grass track racing, equestrian and collecting vintage tractors – and the ground maintenance equipment required for the garden, grassland and woodland associated with the Hall. The agent has also cited other similar large scale buildings that have been approved by the Authority serving domestic properties and not required for any industrial or agricultural purposes. There is some concern that the building could be used in association with the applicant's steel fabrication business but the agent has clearly stated that would not be the case and the Authority must determine the application as submitted, on its merits.

This is a finely balanced case. The size and style of building is not typical of a domestic outbuilding but then Stainsacre Hall is a substantial property, a former outdoor pursuits centre with extensive grounds and is not typical of the other houses in Stainsacre. The residential accommodation totals 1060 sq.m set within 13 acres; the proposed shed would



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extend to 360 sq.m. In view of the need for storage of tractors and other ground maintenance equipment, the applicant's vehicles including a horse box along with his collection of vintage tractors and grass track race cars, it is considered that a storage/hobby workshop building of the size proposed could be argued as being commensurate with the needs of the dwellinghouse and the land within which it would be positioned as required by Policy CO17. Furthermore the use of the building could be controlled with an appropriately worded condition so as to address the concerns expressed that this might be used for commercial purposes.

In addition the site is relatively well screened in views from the village and the public rights of way to the north by Stainsacre Hall itself, the attractive high garden wall to the north and the woodland to the west. There is some concern that such a large scale building of industrial/agricultural appearance could have a harmful impact on the formal garden area and the setting of the hall itself. However the proposed shed has been reduced in size and would be set into the ground so that from the house all that would be visible would be the 2 metres of wall clad in Yorkshire boarding so as to appear as a close boarded timber fence.

In the justification to Policy CO17 it does advise that proposals for new outbuildings should ensure that the number, scale and design of buildings within the domestic curtilage do not detract from the character or appearance of the dwelling or its surrounding area. There is the cumulative impact to consider given the existing large stable building and unauthorised ménage which in total amount to substantial outbuildings and facilities serving the host property. However it is felt that given the supporting information, this all-purpose building would be sufficient to meet the applicant's long term needs and no further buildings will be required. Should any further proposals for buildings or facilities be proposed, it is considered that these could be resisted given the extent of development already allowed.

In response to the Woodland Officer's concerns the building has been scaled back and the yard area reduced so as to minimise the encroachment into the root protection areas of the woodland to the west which provides an effective screen and background to the proposed shed. The revised Arboricultural Report reflects this and includes an Arboricultural Method Statement that confirms work will be undertaken under a watching brief by the project Arboriculturalist.

In view of the above, despite the large scale and agricultural/industrial appearance of this mono-pitched shed, it is considered that the proposal meets the requirements of Policy CO17: it is required for purposes incidental to the residential use of Stainsacre Hall; it is proportionate in size and subservient to Stainsacre Hall; and be located in close proximity to the existing buildings within the grounds. Given the extent of screening provided there will be very limited views of the shed other than from Stainsacre Hall itself and by providing such a large storage space, many of the existing vehicles and ground maintenance equipment can be housed under cover thereby screening them from view and creating a tidy site. As such approval is recommended.

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**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 matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal 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.