

PLANNING, DESIGN & ACCESS STATEMENT

Erection of new livestock building.

Mr S J Welford
Butter Park Farm
Egton Grange
Egton
Whitby
North Yorkshire
YO22 5AZ

June 2021

NYMNPA

10/06/2021

1. Introduction

- 1.1 This statement has been prepared on behalf of Mr S J Welford, in support of a planning application for the erection of a new livestock building at Butter Park Farm, Egton. The applicant is the tenant farmer at Butter Park Farm and the land is owned by the Mulgrave Estate.
- 1.2 The statement describes the site and surrounding area, considers the planning history of the site, the relevant national and local planning policies together with any other material considerations relevant to the determination of the application.
- 1.3 This statement acts as the Design and Access Statement as identified under the North York Moors National Park Authority's validation criteria.

2. Location of Site and Description of surroundings

- 2.1 The site as shown on the location plan (**Appendix A**) lies within the parish of Egton within the North York Moors National Park. The site is located to the western part of the parish off an unclassified road known locally as Delves Lane/Smiths Lane. The site is part of the existing farmyard complex at Butter Park Farm which lies south west of Delves Lane. Access from Delves Lane is via a farm track.
- 2.2 The application site itself lies to the south western end of the existing farmyard in an unused corner next to two existing farm buildings. The first building is constructed of corrugated metal sheeting and is used for storing grain and some farm machinery. The second sits to the west of the first building and is a barn with part open sides used to store hay and straw.
- 2.3 The proposed building will be located to the west of the hay barn on an area part used for outside storage and part grassed area. Part of the site is flat but rises steeply on the western edge. The closest residential dwelling to the application site is the farmhouse which is occupied by the applicant and his family. The next closest dwelling is Lodge Farm which is located just under 400m away to the south.
- 2.4 The remained of the farmyard which is located largely to the east consist of the farmhouse, associated outbuildings and a range of sheds which accommodate the existing dairy herd and associated machinery and maintenance equipment. None of these buildings are listed.
- 2.5 The applicant is a tenant dairy farmer.

3. Description of Site and Current Use

- 3.1 The application seeks permission for the erection of a new farm building to house the existing Butter Park Farm Dairy herd. The site is currently an unused part of the farmyard and is part used for informal outside storage and some grass. The land rises steeply to the west and is not visible from outside of the farmyard.
- 3.2 The purpose of the building is to house part of the existing dairy herd. The applicant has made recent improvements to the inside of the exiting livestock building on the eastern side of the farmyard through the installation of new individual cubicles for the cattle which provides more space per cow. This has meant that the capacity of the existing building to hold cattle has been reduced and new provision has to be made in the form of the proposed building. It is anticipated that the new building will house the dry cattle. It does also offer some scope for future expansion of the herd should that be required in the future.
- 3.3. There are a number of existing buildings on site however these are currently used for other purposes and there is no capacity to use them for this purpose. The existing green grain store is used for storing grain, straw bales, and machinery. The existing traditional stone buildings are used as milking parlour and storage, and a mixture of sheep pens and storage. There is also a covered yard which is used for the existing livestock.

4. Designations/Constraints

- 4.1 The application site lies in Flood Zone 1 of the Environment Agency's flood risk categories and therefore has a low risk of flooding. The closest existing water course is a drain that eventually leads into the River Esk, the main waterway of which is some way north of the site.
- 4.2 There are no Listed Buildings in the vicinity nor is there a Conservation Area here.
- 4.3 There are no trees in the vicinity of the site and therefore none that would be affected by the proposal.
- 4.4 The site lies outside of any formally designated nature conservation sites (Sites of Special Scientific Interest etc) but does fall within the Impact Zone for the North York Moors Special Area of Conservation (SAC).
- 4.5 There is a public footpath which runs from Delves Lane south through the main farmyard and then on to Lodge Hill - Footpath Number 310129.

5. Planning History

- 5.1 Planning permission was granted in 2005 under reference number NYM/2005/662/FL for a water supply collection tank and associated pipework – this is located just north east of the site closer to the main farmyard.
- 5.2 Consent was also given for the construction of the grain store in 2014 as a Prior Approval under NYM/2014/0331/AGRP.
- 5.3 A further Prior Notification was made under reference NYM/2021/0276/AFPP for the erection of a livestock building. The proposed building was considered to be within 400m of a protected building, outside of the landowner/occupier's control and therefore could not be dealt with as a Prior Notification, but instead required the submission of a full planning application. This application is the result of that decision.

6. Description, design, access, and appearance of proposed development

Rationale for the Proposal

- 6.1 Planning permission is sought for the erection of a livestock building in which part of the existing dairy herd will be housed. The farm holding has been used for livestock farming in excess of 50+ years and the applicant has personally been the tenant since for over 10 years. The holding is approximately 95 hectares.
- 6.2 On average, the farm has approximately 150 dairy cows with an additional 20 suckler cows/heifers. There are also approximately 110 followers (cattle aged 6-24 months). In addition, the farm enterprise also consists of sheep - on average around 70 breeding ewes/tups.
- 6.3 The applicant has made changes to the existing cattle shed which has resulted in the installation of larger individual cubicles for the cattle which has had the effect of reducing the number that the existing building can accommodate. The proposed new building is required to accommodate the 'dry' cows with the existing building accommodating the remainder of the herd.
- 6.4 There are existing buildings within the holding but none of these are suitable for housing the dry herd and they are all used for other purposes connected to the farm enterprise as follows:
 - Existing green storage building (approx 23.5m x 13m) – used for storage of grain, straw bale and machinery.
 - Traditional stone buildings (approx 28m x 19m) – used as milking parlour and storage.

- Traditional buildings (approx 58m x 5.8m) – used for sheep pens and storage.
- Covered yard (approx 120 x 18m) – used for cow kennels and yard (recently internally refurbished).

6.5 The proposal is essentially about better accommodation for the existing cattle numbers rather than an increase of overall numbers on the farm. Therefore, the existing arrangements for transport, feed and slurry/sludge storage and disposal will be used for the new building. There are two existing slurry pits to the east of the existing livestock buildings and given that there is no anticipated increase in capacity required as a result of the proposal, these will continue to operate as currently.

Design

6.6 The new livestock building is proposed to be 31m by 13.7m and making a total floor area of 424.7m². The height of the building will be 7.6m. In addition, it is proposed to construct an additional lean to building at the north-western end of the building in which to house farm machinery and other items that are currently stored outside. The lean-to will be to the north-west of the existing straw shed and will be open sided to on the north-western elevation with three open bays.

6.7 The building will be constructed of a concrete floor, with concrete panels on the bottom half of the elevations- these panels will be landscape in orientation and coloured grey. Above them will sit further concrete panel also in grey but in portrait orientation. The roof will be pitched and will be formed of a cement fibre roof covering which will be anthracite in colour. The roof will also be vented for animal welfare purposes. The front elevation will have vented sheeting in black rather than the concrete panels.

6.8 The lean-to structure will be 15.3m by 10.6m and 7 metres high at its highest point. It will be constructed from profile sheeting to match the grain store. The area of the building will be approximately 162.1 m².

6.9 The combined total floor area of both buildings will be approximately 589m².

Access

6.10 The building will be accessed from the main farmyard, which itself is accessed from Delves Lane and is also part of a public footpath. The building will not be seen from the farmyard as it will sit behind the existing farm buildings. It will be visible from the footpath by anyone walking from Lodge Hill towards Delves Lane. However, this will only be glimpses of the front of the building as it nestles next to the existing buildings. There are no public views of the site from the west. The closest building to the north is

the farmhouse, which is set slightly back, and the building will only be seen from the rear garden of the farmhouse.

7. Planning Policy Context

Local Development Plan

7.1. The relevant Local Development Plan for the area is the North York Moors Local Plan Adopted in July 2020. The most relevant policies are as follows:

Strategic Policy A - Achieving National Park Purposes and Sustainable Development.

7.2 This strategic policy takes a positive approach to new development in line with the presumption in favour of sustainable development. It seeks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Strategic Policy C - Quality and Design of Development.

7.3 This strategic policy allows development where proposals are of a high-quality design that will make a positive contribution to the local environment in accordance with the principles set out in the NYMNPA Authority Design Guide.

- the proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the local area and/or that of the local vernacular.
- the siting, orientation, layout, and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality.
- the scale, height, massing, and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.
- sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources.
- a good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity, and makes use of appropriate native species forms an integral part of the proposal.
- Proposals to enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts.
- Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way.

- and the proposal ensures the creation of an accessible, safe, and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.

Strategic Policy G – Landscape

7.4 This strategic policy gives great weight to landscape considerations in planning decisions and supports development where the location, scale and design of a scheme respects the relevant landscape character type. Development that would have an unacceptable impact upon the natural beauty and character of a number of landscape types, including moorland will not be permitted.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity

7.5 This strategic policy seeks to ensure that new development conserves, restores and enhances of habitats, wildlife, biodiversity, and geodiversity. Development is expected to maintain and where appropriate enhance features of ecological value, maximise opportunities to strengthen their integrity and resilience, provide a net gain in biodiversity; and maintain and where appropriate enhance existing wildlife connections and landscape features such as water courses...hedgerows and tree lines. Development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where there are no alternative options or where harm can be suitably mitigated.

Policy ENV7: Environmental Protection

7.6 This development management policy seeks to protect the environment from all forms of pollution including water, air, and noise. Development that would cause unacceptable levels of pollution (in any form) will be resisted.

Strategic Policy K – The Rural Economy

7.7 This strategic policy seeks to support development that fosters the economic wellbeing of the National Park. Specifically, it seeks to protect existing businesses (e.g., farming businesses) and supports their appropriate expansion.

Policy BL5 – Agricultural Development

7.7 This development management policy supports the development of new agricultural buildings subject to criteria controlling, design, scale, need, location, materials, and levels of odour and activity.

Policy Co2 – Highways

7.8 This development management policy seeks to ensure that new development will only be permitted where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.

8 Other material considerations

NPPF

- 8.1 The NPPF is a material consideration with considerable weight. The relevant national planning policies are set out in the National Planning Policy Framework (NPPF) revised February and July 2019. Paragraph 7-8 of the NPPF, the Government underlines its commitment to sustainable development and states that:

“The purpose of the planning system is to contribute to the achievement of sustainable development...achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways:

- *an economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation, and improved productivity, and by identifying and coordinating the provision of infrastructure.*
- *a social objective– to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible local services and open spaces that reflect current and future needs and support communities’ needs health, social and cultural well-being.*
- *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.”*

NYMNPA – Design Guide Section 5 – New Agricultural Buildings

- 8.2 The NYMNPA produced a Design Guide in the form of a Supplementary Planning Document in June 2008. Whilst it is relatively elderly in policy terms and pre-dates the Local Plan Adopted in July 2020, it is yet to be formally replaced by a successor document. The SPD contains useful advice relevant to this proposal and has a specific section (5) on the design of new agricultural buildings.
- 8.3 The document seeks to ensure that where new agricultural buildings are proposed that these seek to avoid:
- poorly sited buildings, located for example in prominent skyline locations or without regard to existing development.
 - inappropriate design and use of materials; and
 - the incongruous use of colour

9. Assessment

- 9.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004), requires the proposed development to be judged against the Development Plan Policies in the first instance; and planning decisions made on the basis of its compliance with the Development Plan Policies, taking into account material planning considerations, and applying the planning balance of the schemes impacts against the positive benefits that will be derived. Below is set out how the proposal performs against the Development Plan: The North York Moors Local Plan July 2020.

Strategic Policy A: Achieving National Park Purposes and Sustainable Development

- 9.2 The proposal is considered to be in conformity with Strategic Policy A as it is of a scale that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace, and tranquillity of the Park. Neither will it detract from the quality of life of local residents or the experience of visitors. It is of a scale which will support the character and function of the farm enterprise and would not have a detrimental impact on the natural environment, biodiversity and geodiversity or the loss of important ecosystems or natural capital. It would not impact on the landscape character of the village or the wider area.

Strategic Policy C: Quality and Design of Development

- 9.3 The proposal is considered to be in conformity with Strategic Policy C. The proposal is for the erection of a livestock building in an established farmyard. The building has a close functional relationship with the existing farmyard and is immediately adjacent next to existing farm buildings whilst being tucked away at its edge. The building is of a similar scale, materials, and form to existing buildings, immediately adjacent and is sympathetically located within the holding, where views of it are limited. The form, scale and massing complement existing nearby buildings and more widely the form of the farmyard. The proposal will not have an adverse impact upon the amenities of adjoining neighbours in terms of its visual impact or use.

Strategic Policy G – Landscape

- 9.4 The proposal is considered to be in conformity with Strategic Policy G. The proposal is located in a corner of the farmyard that sits low down within the landscape and cannot be easily seen from outside of the farmyard itself. The proposal is part of an existing farmyard which has a range of farm buildings and has a close functional relationship with those buildings. It is neither prominent in the landscape nor set some distance apart from the farmyard. There are views of the building from the public footpath which passes through the farmyard. However, the building is set some way off the footpath and is partially screened by existing buildings and would be read

in that context. Views towards it are oblique and fleeting views rather than long or wide views. The proposal does not represent a landscape intrusion, nor does it have an adverse impact upon the surrounding landscape or interfere with valued or scenic views. The machinery and other items which are currently stored outside and therefore there is a visual benefit to having these items stored within a building.

Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity

9.5 The proposal is considered to be in conformity with Strategic Policy H. The proposed livestock building is located within an existing farmyard and there are no formal wildlife designation on the site. e.g., County Wildlife Site, SSSI etc. The site does fall within the impact zone for the SAC but is some distance from it. The proposal does not require the felling of any trees or disturbance to existing habitats. The site is currently unused edge of the farmyard with some outside storage.

Policy ENV7 – Environmental Protection

9.6 The proposal is considered to be consistent with this policy. The proposal is for an additional livestock building to accommodate the existing herd. Existing arrangements for waste disposal will therefore be utilised without the need for additional capacity as no intensification of the herd is currently planned.

9.7 The closest residential dwelling outside of the applicant's control or ownership is just under 400m away at Lodge Hill and therefore is unlikely to be affected by pollution in the form of odour, dust, or noise from the livestock.

Strategic Policy K – Rural Economy

9.8 The proposal is considered to be consistent with this strategic policy which supports development which fosters the economic wellbeing of communities of the national park. The policy seeks to protect and promote existing businesses (including farm businesses) and supports opportunities for their expansion.

Policy BL5 – Agricultural Development

9.9 The application is consistent with this key development management policy and meets the tests set by the criteria. The proposal seeks the erection of a new livestock building, which is required after improvements to the existing livestock building (for cattle welfare) have resulted in a loss of capacity. There is no suitable alternative existing building that can be used. The proposed building is in an unused corner of the existing farmyard and adjacent to two other existing farm buildings. There is a close physical and functional relationship between the proposed building and the remainder of the farmyard, and the building is not locationally divorced from them.

9.9 The proposed building is similar in scale and form materials and height, to existing buildings and reflects the local sensitivity of the landscape being sensibly located within the landscape and partially screened by existing buildings. There is sufficient outside space to enable the safe manoeuvring, parking, and turning of farm vehicles

without impeding the right of way which bisects the farmyard. The building can also be suitably accessed using the existing farm access and track to the highway.

Policy CO2: Highways

- 9.10. The proposal is considered to be in conformity with Development Management Policy CO2. It is in a location that is capable of being safely from the highway. There is sufficient external space to enable safe parking and manoeuvring of farm vehicles. There are no new vehicular or pedestrian accesses proposed.
- 9.11 There is an existing public right of way which goes through the farmyard; however, this proposed building is located some way off the footpath and to the side of it. It does not impede the enjoyment of walkers using this route. The proposal is largely to accommodate a reconfigured livestock accommodation needed due to the upgrade of the existing livestock building resulting in a decrease in its capacity. Therefore, the proposal is unlikely to generate additional traffic or cause a severe impact on the local highway network or result in impact on the safe operation of the highway network in this location. The proposal is therefore considered to be acceptable in Highway Terms.

NPPF 2019

- 9.12 Paragraph 11 of the framework confirms its objective of achieving sustainable development and that decisions on planning applications that accords with the Development Plan should be approved without delay.
- 9.13 The NPPF is largely silent on the subject of agricultural development, largely due to the fact that development associated with agriculture is largely permitted development. Indeed, it is only due to the fact that the proposed building lies within 400m of a 'protected building' i.e., a residential dwelling in a separate ownership that this application was required and that it did not fall within the Prior Notification consent regime.
- 9.14 However paragraphs 83-84 of the framework set out the Government's intention to support a prosperous rural economy and supports the sustainable growth and expansion of all types of business including agriculture, in rural areas both through the conversion of existing buildings and well-designed new buildings. This application is consistent with this paragraph and therefore conforms with national planning policy guidance.

NYMNPA – Design Guide – Section 5 – New agricultural buildings

- 9.15 The proposal is considered to be in conformity with the guidance set out in this document. In terms of siting there is a functional need for the building and a relationship with the existing farm buildings adjacent to it. The building is specifically

designed as an agricultural building with no other intended purpose. There is no landscaping proposed however, due to the siting and location of the proposed building and the fact it is shielded by existing buildings this is not considered necessary.

9.16 Consideration has been given to the siting of the proposed building – it is adjacent to existing buildings and does not occupy a prominent or skyline position with the landscape. It will be barely visible outside of the farmyard due to its siting close to existing buildings.

9.17 The proposed materials are dark and non-reflective. The roof colour is darker than the proposed elevations and the building does not require raised floor levels nor does it obscure or interfere with a right of way. It is partially visible from the public footpath but would be read from this position as another farm building next to existing farm buildings, with which it is comparable in size. The pitch of the roof is comparable to the pitches on the existing roofs and no flat roof is proposed. The proposed elevations use more than material to break up the scale of the elevations. The proposal therefore satisfies the specific design guidance.

10 Conclusions

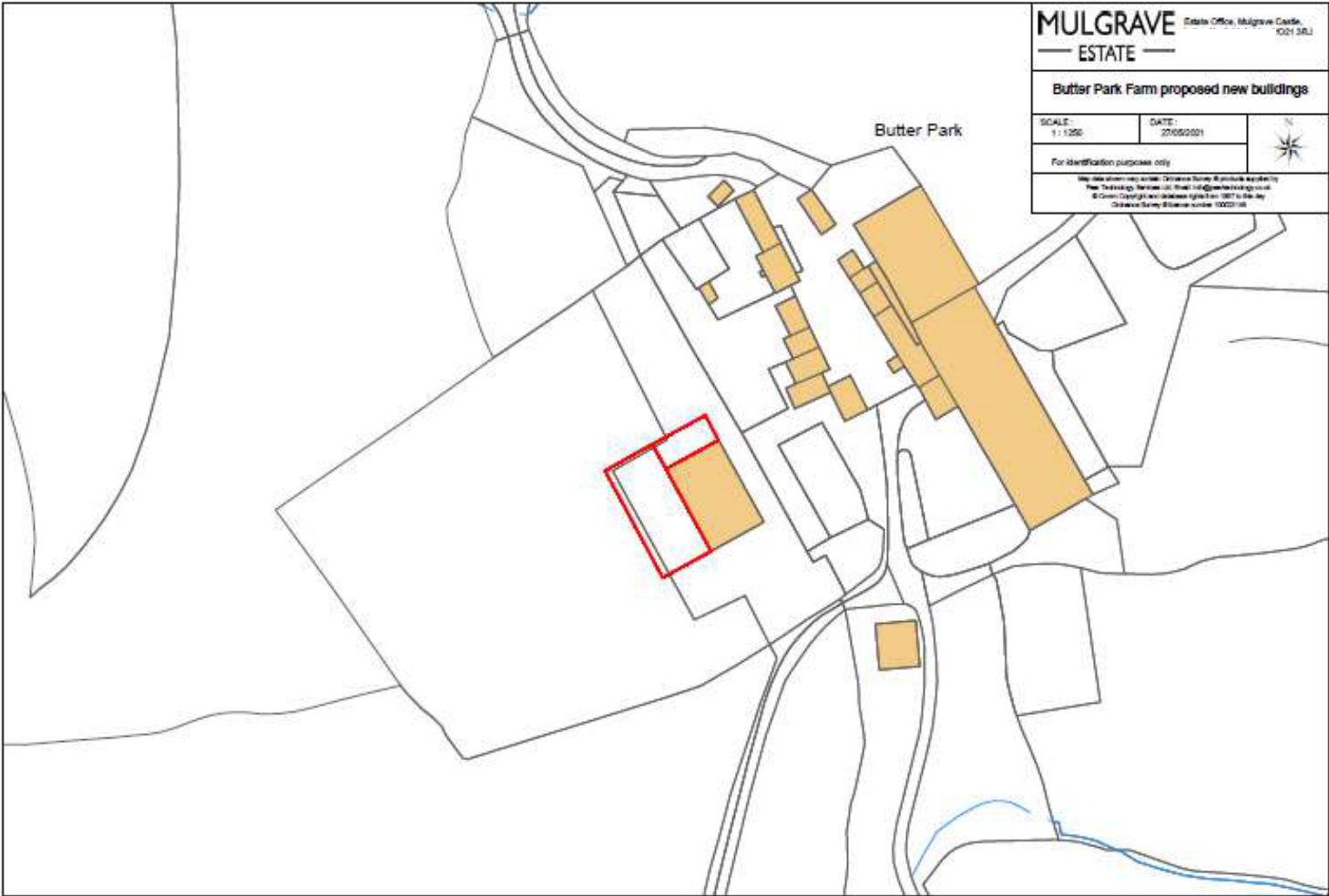
10.1 The proposal is for the erection of a new livestock building within an existing farmyard. The building will be occupied by existing cattle, as a result of a loss of capacity in the existing livestock building brought about by welfare improvements. The building is well sited close to existing buildings and is of a similar design, scale and form to those, the proposal does not represent a landscape intrusion and there are no adverse impacts upon highways, rights of way or nature conservation.

10.2 The proposal complies with the relevant policies in the Adopted Development Plan, the NPPF and the Design Guide.

10.3 The proposal does not result in the creation of any new accesses or tracks.

10.4 Taking all matters into account, the application is considered to be in accordance with the Development Plan, taking into account, relevant material considerations as required by Section 38(6) of the Planning Act (2004). It constitutes sustainable development as described by the Development Plan and the NPPF. There are no other relevant material considerations that would individually or collectively indicate the application should not be approved.

Appendix A – Site Location



Appendix B – Site Photos



Application site from the north looking south.



From just north of the application site looking east towards the farmhouse



Adjacent building



Adjacent building to the east, looking south across the site.



Looking north across the site



Western end of the site



Adjacent buildings (east of the site)



Adjacent buildings



View of site from footpath



View of site from main farmyard/footpath



Right of way through centre of farmyard



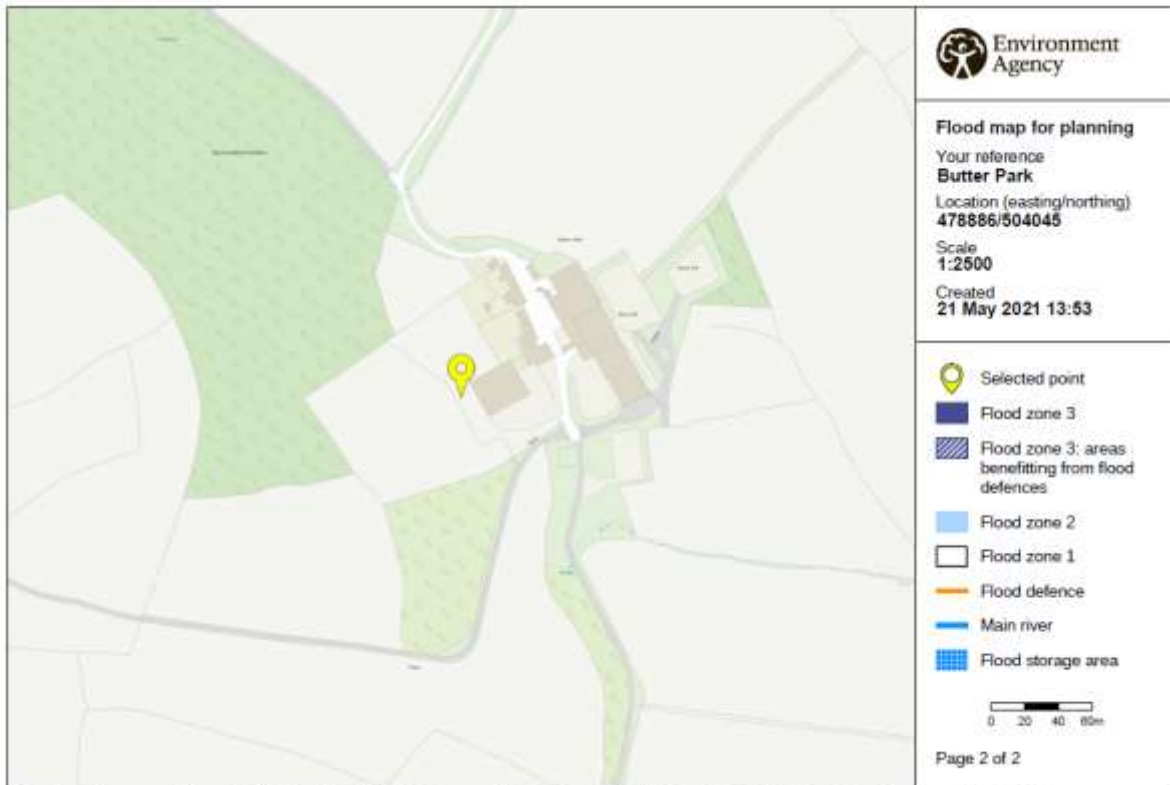
New cubicles in existing livestock building.

Appendix C – Public Rights of Way Map

21-May-2021



Appendix D – Environment Agency Flood Risk Map





Supporting Agricultural Information

Applicants are encouraged to complete the following as this will enable the Authority to speed up the processing of your notification/application. The purpose of this form is to provide basic information on the farm system to help assess the need and appropriateness of agricultural buildings within the National Park.

Application Reference: ...NYM/2021/0450.....

Site Address: ...Butter Park Farm, Egton Grange, Egton.....

Applicant Name: ...Mr S J Welford.....

Livestock Numbers

Cattle

	Average number throughout the year	Additional information
Dairy Cows/Breeding Bulls	150	
Suckler Cows/Heifers over 24 months	20	
Followers (6 to 24 months)	110	

Sheep

	Average number throughout the year	Additional information
Breeding Ewes/Tups	70	
Replacement Ewe Lambs/Finishing Store Lambs		

Pigs

	Average number throughout the year	Additional information
Sows/Boars		
Weaners		

Continued.../

Others

	Average number throughout the year	Additional information
Other Livestock, i.e. Horses		

Land

	Area in Hectares	Additional information
Size of Holding	95ha	
Available Grazing Land		
Arable Land		
Moorland		
Grazing Land on Short Term Tenancy		

Agricultural Buildings

List main existing agricultural buildings and use	Approximate dimensions in metres	Is it a modern or traditional building?
1. Green shed	23.5 x 13 m	Modern
2. Traditional Building	28 x 19m	Traditional
3. Traditional Building	58 x 5.48 m	Traditional
4. Covered yard	120 x 18m	Traditional
5.		
6.		
7.		
8.		

Proposed building(s) and use	Dimensions in metres
1. Livestock Building	31 x 13.7m x 7.6m
2. Machinery Store	15.3 x 10.6 x 7m

Please Note: It would be helpful if you could attach a sketched block plan annotating which building is which as referred to above.

Please detail below how the farming operation on site may change as a result of the proposal i.e. increase in stock levels or justification for the use of the new building.

New building required as a result of improvements made to existing building in the form of

installation of cow cubicles

(See Design and Access Statement)