

# North York Moors National Park Authority

## Delegated decision report

### Application number

NYM/2021/0423/FL

### Development description

removal of condition 1 of planning approval NYM/2016/0428/FL to allow permanent siting of Larch clad container or variation of condition to allow siting for a further 5 year period

### Site address

Go Ape Cabin Near Forestry England Visitor Centre

### Parish

Thornton Le Dale

### Case officer

Miss Helen Webster

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text
1.	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.</p>
2.	MATS00	<p>The external timber cladding of the structure hereby approved shall either be allowed to weather naturally or shall be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>

3.	MISC00	If use of the development hereby permitted (in connection with GoApe) permanently ceases, it shall be removed from the land and the land shall, so far as is practicable be restored to its condition before development took place. The restoration of the land shall take place within 6 months of the cessation of use unless otherwise agreed in writing with the Local Planning Authority.
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**Reason(s) for condition(s)**

Reason number	Reason code	Reason text
1.	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Strategic Policies A and C which seek to conserve and enhance the special qualities of the NYM National Park.
2.	MATS00	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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
3.	MISC00	In order to comply with the provisions of NYM Local Plan Policy SPA which seeks to conserve and enhance the landscape and special qualities of the NYM National Park.

## Consultation responses

### Parish

No objection.

### Natural England

No comment.

### Publicity expiry

Site notice expiry date – 16 July 2021.



## Background

This application relates to a previous permission issued on a temporary basis in 2016. It relates to land adjacent the existing Go Ape high rope adventure course located within Dalby Forest, close to the main visitor centre just north of Low Dalby Village. The original attraction was approved in 2006 and the application comprised: construction of an adventure course with associated cabin, shelter and equipment.

Planning permission was granted in 2015 for the siting of a timber clad extension to the rear (north-east facing elevation) of the existing reception building but this was superseded by a retrospective application in 2016 for a timber clad container to be located adjacent to the east facing elevation of the Go Ape reception building. In support of the application it was stated that the building is needed in order to provide extra staff and storage space, in order to better serve customers. The structure measured approximately 2.4 metres by 9.1 metres with a height of 2.6 metres and is clad in horizontal larch boarding. That application was granted for a temporary period of five years.

This application seeks full planning permission for the retention of the cabin on a permanent basis (or for a further five year period).

## Main issues

The relevant policies contained within the NYM Local Plan are Strategic Policy J (Tourism and Recreation) and Strategic Policy C (Quality and Design of Development).

Strategic Policy J is supportive of tourism and recreational development where it is consistent with the principles of sustainable tourism; it does not lead to unacceptable landscape harm; it provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the National Park, without detriment to the enjoyment of the Park's quality's by other users or residents; it is of an appropriate quality and scale; accommodation is only used for short-term stays; it does not compromise the enjoyment of existing facilities and Public Rights of Way; and, it does not lead to unacceptable harm in terms of noise and harm to the immediate neighbourhood.

Strategic Policy C relates to the quality and design of development within the National Park. The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

The main issues relating to this application remain as initially discussed and are considered to be whether the proposed building would have a detrimental impact on visual amenity and the character of the area.

Whilst the container is situated adjacent the existing cabin and attached decking, by reason of its situation forward of the front elevation of the main building, it has greater prominence in views into the site.



The flat roof design is relatively utilitarian in contrast to the chalet-style reception building but another similar flat roof structure exists at the other side of the chalet so it brings about a visual balance to a certain degree. The flat roofed nature of the building also ensures it reads as a subservient addition.

One of the reasons why a temporary approval was issued in 2016 was to allow further consideration of the need and design of the building; with the potential for achieving a higher quality design. This would typically involve the introduction of a pitched roof form. However, having reconsidered the application, it is considered that a pitched roof would make the building much more prominent and compete for dominance with the main reception chalet. The cabin is positioned on slightly higher ground and therefore in this case, the simple flat roof utilitarian design is considered acceptable in this commercial context.

No objections have been submitted in connection with the application and Officers are not aware of any complaints being lodged in respect of the structure in the preceding five year period.

Furthermore, on the basis the main chalet and ancillary cabin approved in 2006 are granted on a permanent basis, Officers consider a permanent approval is acceptable for this cabin. However, it is recommended that a similar condition requiring the removal of the cabin from the land in the event use of the site by GoApe permanently ceases, in line with the main application.

The proposal is not considered to lead to an unacceptable level of landscape harm and would serve an existing and established tourism facility in a location where its impact upon residents of the National Park is limited. In view of the above, 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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.