

North York Moors National Park Authority

Delegated decision report

Application number
NYM/2021/0193/FL

Development description
erection of general purpose agricultural building

Site address
Heystones Manor Farm, Egton Road, Aislably,

Parish
Egton

Case officer
Mrs Hilary Saunders

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	PLAN00	The development hereby approved shall only be carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved unless, as amended by the letter from Mr Jowsey dated 5 July 2021 regarding external materials, or otherwise with the prior written agreement of the local planning authority.
3	RSU000	The building hereby permitted shall be used wholly and only for agricultural purposes, associated only with farmland managed from the main dwelling known as Heystones Manor and shall at no time be used for domestic purposes or for any use associated with the keeping of horses. In the event that the agricultural use of this building ceases for a period of 3 years then the building shall be demolished and removed and the land shall be returned to its former condition.

4	GACS07	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.
5	MATS00	No roof lights shall be installed in the development hereby permitted unless otherwise agreed in writing with the Local Planning Authority.
6	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.
7	MATS00	The external elevations of the building hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding (other than the first metre above ground level which shall be faced with fairfaced (stone coloured) blockwork) and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
8	LNDS00	The existing trees/hedging on the site shall be retained and shall not be pruned, lopped or felled without the prior written agreement of the local planning authority.
9	MISC00	Within 12 months of the commencement of the development hereby approved, the existing building approved under planning permission NYM/2010/0606/NM shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
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	RSU000	In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Strategic Policy A of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the NYM National Park.
4	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
5	MATS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the National Park's status as an international dark sky reserve.
6 & 7	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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
8	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.
9	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.

Consultation responses

Parish

Insert

Highways

No objections - The vehicular access between the publicly maintainable highway, Aislabyside Road and the application site is along a track which is classed as a bridleway. The track is not shown as being in the applicants control and no mention is made regarding the applicants permission for a vehicular right of access. However, the applicant has indicated that this access is already being used for vehicles to go between Aislabyside Road and the land within his control.

Natural England

No objections

Forestry Commission

Standing advice re Ancient Woodland

Third party responses

None

Publicity expiry

Site notice expiry date – 24 April 2021

View of the site from the back lane



Document title

View up to site when walking up from Heystones Manor (site behind conifers)



View down to existing building halfway down steep bank



Background

Heystones Manor Farm is located in a secluded site on the road between Aislaby and Egton. The farm comprises a large residential dwelling, with a relatively big garden. The agricultural land to the rear of the dwelling rises very steeply from the edge of the garden up to the tarmacked lane at the rear which is also a bridleway.

The applicant currently has an agricultural building located halfway up the steep hill which is proving increasingly difficult to access with vehicles, and has received professional advice that this is an unacceptable health and safety risk. This existing building is accessed from both the house at the bottom of the hill and the lane/bridleway at the top. The applicant farms around 75 acres.

Consequently, this application seeks planning permission to site a replacement agricultural building on the level land at the top of the site that is adjacent to the top lane. The building would measure 30m long x 12m wide and 5m to the eaves and 9.9m to the ridge. The scheme has been amended to clad the exterior in Yorkshire boarding and fair faced blockwork with a dark grey roof. The barn would be used for agricultural purposes directly related to Heystone Farm.

The site does have a complex planning history including previous refusal on the site of the current building due to its location divorced from the domestic curtilage of the property, and obtrusive appearance.

The applicant has advised that:

The new building location is to replace the building located around 50m further south which due to the steep topography is becoming increasingly difficult to insure due to its dangerous location and very limited access. Modern machinery is hard to reach this location and causes a lot of damage when trying to reach the barn.

The proposed location would provide hugely increased ease of access and will be central to the farmland of Heystones. We currently don't have enough storage and the building will be a general purpose agricultural building for housing animals as well as bedding, feed, fertilizer, machinery and vet and medical supplies to support the farm.

We want to ensure the farm is more financially viable whilst maintaining the neatness and tidiness avoiding mud and debris on the road.

The height of the barn is required to ensure the larger trailer with bales would fit through the opening and a steeper pitch is required to allow snow to slide off.

We're happy to dismantle the existing building within 12 months of the completion of the new building.

Main issues

Local Plan

Policy BL5 (Agricultural Development) 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.

Material Considerations

The proposed agricultural building is located in an isolated position but it is considered that there are justifiable reasons for locating the building as proposed, due to the steepness of the land between the house at the bottom of the slope and this site at the top which has level access from the lane.

Whilst the ridge height would be quite high, the roof pitch would be steep and the development site is well screened by existing trees and would be significantly less visible than the existing building lower down the slope on the hillside.

There is a justifiable agricultural need for the building and it is designed for agricultural purposes. The proposed development would not have an adverse impact on the character of the area, as long as the existing trees are retained. Furthermore, the subsequent removal of the more prominent existing building would enhance the character of the area.

The proposals is therefore considered to be in accordance with Policy BL6 and the above reasons approval is recommended.

Pre-commencement conditions

No

Explanation of how the Authority has worked positively with the applicant/agent

Approval (Amendments Requested and Received)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including the change in external materials, so as to deliver sustainable development.