

North York Moors National Park Authority

Plans list item 2, Planning Committee report 02 September 2021

Application reference number: NYM/2021/0472/FL

Development description: use of land for the siting of 3 no. shepherd's huts for holiday letting purposes and associated parking

Site address: Land off Sutherland Road, Cropton

Parish: Cropton

Case officer: Mrs Hilary Saunders

Applicant: Mr and Mrs Stripling Scott, 3 Forestry Bungalows, Old Town, Cropton, YO18 8EU

Agent: KVA Planning Consultancy, 18 Westgate, Old Town, East Yorkshire, Bridlington, YO16 4QQ

Director of Planning's Recommendation

Refusal for the following reason:

Refusal reason code	Refusal reason text
1	The proposed site for the three shepherd's huts is not considered to be closely associated, physically linked or adjoining the site of the existing 'managing dwelling' and as such represents an undeveloped isolated parcel of land in the open countryside. The proposal would therefore represent sporadic development and be contrary to the spatial requirements of Strategic Policy B and Policy UE2 of the adopted North York Moors Local Plan.

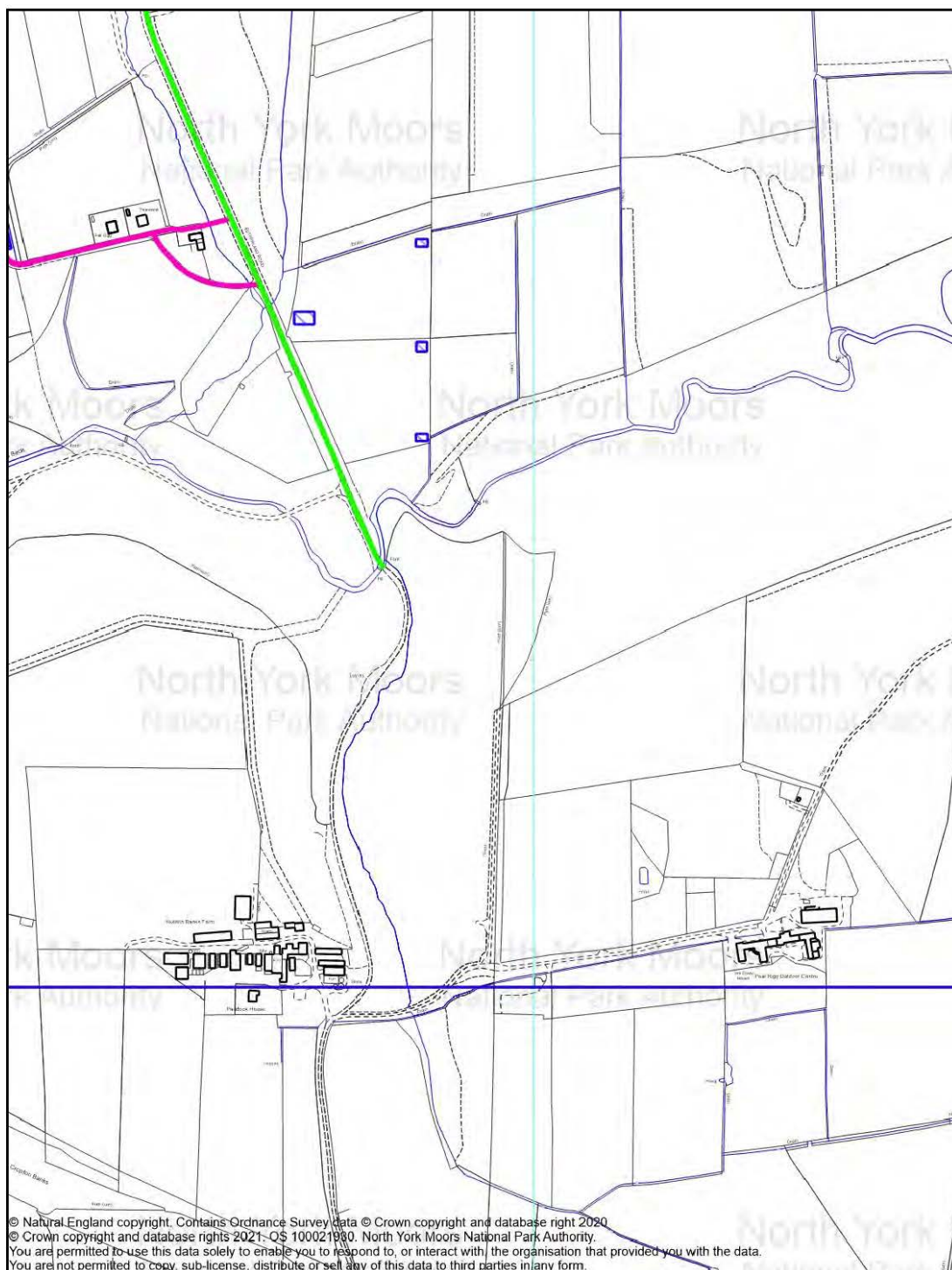
Map showing application site context



North York Moors
National Park
Authority

Application Number: NYM/2021/0472/FL

Scale: 1:5000



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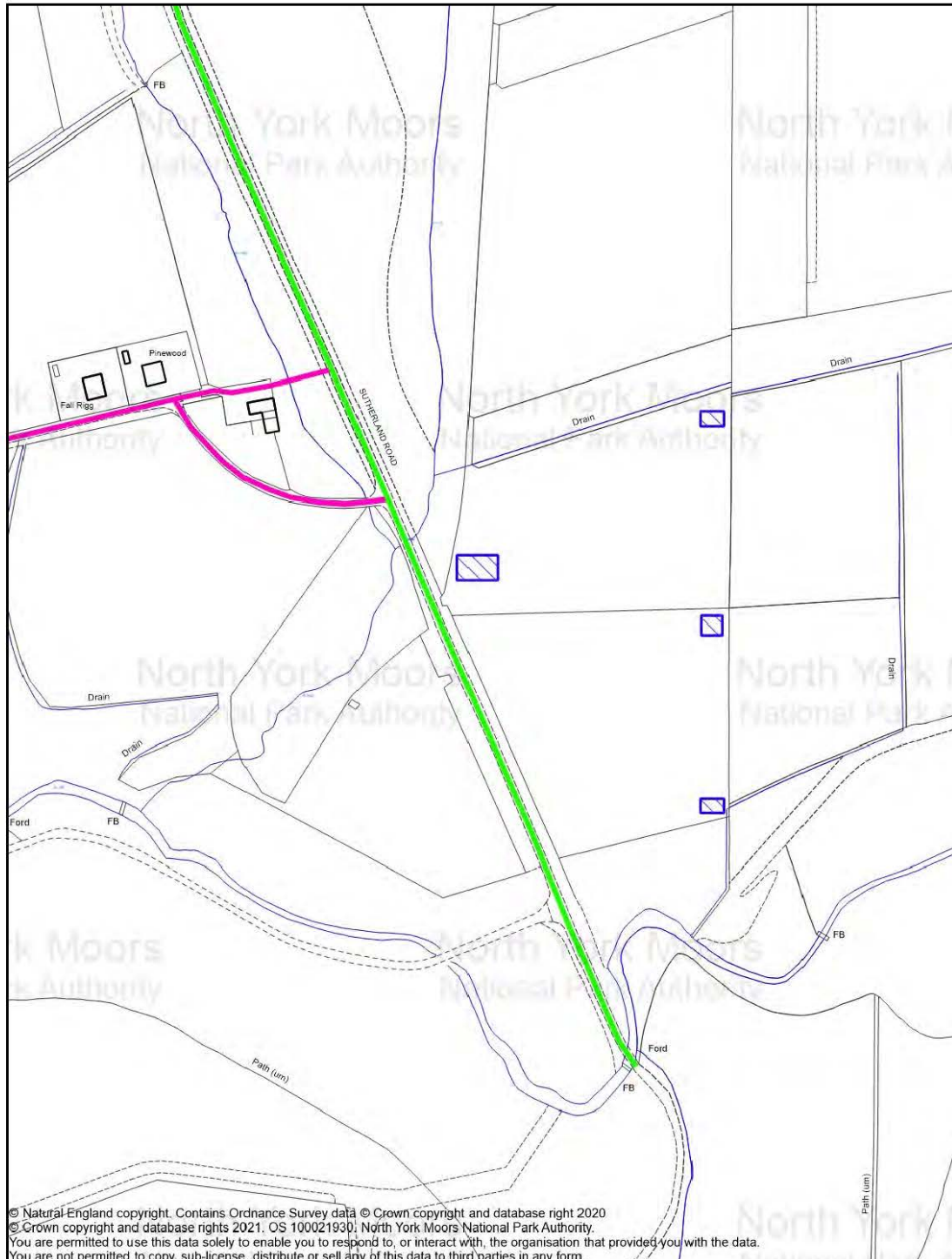
Map showing application site



North York Moors
National Park
Authority

Application Number: NYM/2021/0472/FL

Scale: 1:2500



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View into application site from Sutherland Road



Consultation responses

Parish

No objections

Highways

No objection subject to conditions. The carriageway in this locality is single car width and requires improvement by way of the installation of passing places to accommodate additional traffic movements generated by approved development and in terms of this application site improvement to the construction of the existing access is required.

Forestry Commission

No comments received

Environmental Health

No comments received

Third party responses

The following people object to the proposal for all or some of the following reasons:-

Dr Miriam Alcock, Pinewood, off Sutherland Road, 1 Forestry Bungalows, Cropton

Mrs E Cummings, 5 Forestry Bungalows

Mr Clive Ainley, Sutherland Lodge Cottage, Sutherland Road, Cropton

Rod & Liz Cole, Peep o' Day, Sutherland, Cropton

James & Imogen Lloyd, Fall Rigg, 2 Forestry Bungalows, Sutherland, Cropton

Will have a significant environmental impact on the surrounding area and are quite inappropriate for such a tranquil situation.

The applicants don't appear to have an agricultural business; they rent the land out to farmers. Only the farmers look after the sheep and they will lose access to this grazing field if this application goes through.

Distance from applicant's house gate to the field gate took four minutes 33 seconds, not the two-three minutes stated by the applicants. The distance from the applicant's house to the entrance gate to the field is 389m not the 282m quoted by the applicants. The distance from the applicants' house to the two furthest huts is 559m, which would take approximately another two minutes to walk. There is no way they can ensure adequate and active management to prevent any noise or disturbance to the nearest residents.

If water is provided in plastic drums it will be a health hazard and unsafe to drink.

This field can be very wet and surface water regularly flows out of the field into the road and then into Sutherland Beck. The ford over the beck has flooded regularly and can be impassable which is why the residents have keys to come into the forest via Cropton

cabins. The occupiers of the huts would be unable to access their huts if the ford flooded. There is no footbridge.

People walking and driving regularly over this field when it is very wet will leave a muddy mess as well as compacting the soil which makes it very difficult for grass or a wild flower meadow to grow.

Composting toilet: The applicants say the waste from these toilets will be emptied and removed off site by licensed professionals but who would do this?

There is very little tree screening currently along Sutherland Road so the huts will be plainly visible from the road. Not only is the site poorly screened from Sutherland Road but the trees belong to Forestry England not the applicants. The trees on the northern boundary are largely conifer plantations, not mature hardwood trees and could be felled whenever Forestry England chooses.

Noise: There is a significant risk that with three huts in this field our peace and quiet will be threatened in the summer months. We live far nearer to this site than the applicants and will therefore be much more affected by any noise generated by the occupants of the huts. How do the applicants propose to enforce rules given that they are much further from the site? Shouting, laughter, radios outside, dogs barking, people drinking and enjoying themselves outside are all part and parcel of a holiday. Even if there are no visitors the presence of three huts will encourage groups of friends, or families with grown up children, to make a block booking. This may lead to more noise outside.

Sutherland Road: Part of the road is owned by the Forestry Commission and is usually in a pretty terrible state and is rarely maintained.

Winter: The applicants state that the huts will be stored on their property in the winter. Where would this be? If it will be on the grassy area near to their Nissan hut, where there is no screening whatsoever, the huts will be plainly visible to all walkers and drivers using this track, which leads to four resident's houses as well as several local footpaths.

Site management: How do the applicants propose to plant the wildflower meadow and where this meadow will be located and how big it will be. If no hard core is used, the weight of three cars on the rubber mats when the ground is wet will make the mats sink into the ground. Where will rubbish be taken?

Precedent: This will set a very unfortunate precedent which means the current or future occupants of our bungalows may also apply to put shepherd's huts in their fields which will completely spoil this peaceful place. This area is not short of good holiday accommodation with proper access, mains water and electricity. There is no need to allow such risky development with its undoubted environmental impact. Nearby is Peat Rigg, Keldy Cabins, Cropton Cabins, Sutherland Lodge, four x caravan and camping sites within 1 mile, Cropton New Inn and holiday lets within the village.

Although bonfires will not be allowed, what about barbecues? This will be a significant fire risk to the surrounding forest.

The applicants say that food waste will be composted in their own compost bins but if the waste includes meat and cooked food the compost will attract rats. If the huts are occupied by cyclists or walkers arriving without a car they can't be expected to remove their own recycling.

Access into the forest is always an issue due to narrow road and the steep drop on the Peat Rigg side. Also the road is not maintained regularly.

Am a local resident for many years, moving to this location to get away from the hustle and bustle of everyday life and been part of nature. Living a quiet and tranquil life style, but this will set a precedent and we will soon be inundated with applications for all kinds of disruptive aspects, camping/caravans/glamping/etc.

There's been no independent ecology survey which needs to be carried out as, if something is found, then ecologists will have to agree an approach to mitigate for any impact to the habitats or species. There's nesting tawny owls, barn owls and a recent spotted little owls all residing in the forest, not to forget badgers and roaming deer and the recent addition of a pair of breeding beavers.

Parking: Cars are not going to be able to drive on the field as it boggy and wet for most of the year.

There's no mention of the colour of the three shepherd huts as these come in vivid colours and need to blend in to the local environment if planning is passed.

Are we trying to saturate an area of natural beauty?

The ground conditions in the two traditional permanent pasture fields of the proposed business development lie on a thick layer of clay subsoil which makes drainage an ever-present issue.

Other concerns include the lack of detail about the following: Where the huts will be parked out of season; arrangements for storage of gas supplies, spare batteries, extra water, wheelbarrows etc; on site/in hut repositories for rubbish and sorted recycling; how the huts will be levelled without new groundworks given the slope of the fields; how the proposed wild flower meadow and woodland planting will be established and maintained successfully; enforcement of rules: e.g. 'no external paraphernalia' (tables/chairs etc); lighting; 9 pm 'curfew'.

This is an extremely sensitive area for biodiversity. Any development, will in fact be of adverse impact on such environment contrary to Policies E and H of the Local Plan.

The land presently presents a vista between the trees to the uncultivated fields and woodland with the tabular hills beyond and represents a natural environment of some beauty within the forest setting. Furthermore such car-parking and line of visual huts will detract from the character of the immediate area which is open countryside of meadows surrounded by woodland. The dwellings/smallholdings in the local area are only noticeable if you turn off Sutherland Road, which most passers-by do not.

The area is very quiet indeed, and whilst one hut may only have a double bed, three will enable groups of people to stay with the prospect of louder sociability arising.

Consultation expiry

23 July 2021

Background

This application relates to a parcel of grassland located off Sutherland Road on the edge of Cropton and in the vicinity of Peat Rigg Outdoor Pursuit Centre.

The field is located at the bottom of a steep hill and is bounded to the north, south and east by substantial tree planting and to the west by less dense tree and hedge planting.

The applicants live at 3 Forestry Bungalows which is situated approximately 500m to the west on the other side of Sutherland Road.

This application seeks full planning permission to site three shepherd's huts to provide an off-grid glamping facility.

It is proposed to site the huts adjacent the woodland to the eastern boundary at the back of the site (all more than 100m from the access gate at the road) and each shepherd's hut would be located approximately 90m apart. The huts would not require foundations and would not have decking or any outside paraphernalia associated with them. A small area would be made available for car parking just inside the existing field gate.

The huts would not be connected to water or electricity and are intended to be simple self-contained eco-huts with gas stove, composting toilet and batteries for lighting.

In addition to the application proposals, the applicants have secured a contract with the Woodland Trust to plant 1600 trees per hectare consisting of a mix of high and low density woodland using native broadleaved species and to also undertake wildflower meadow planting. However, these do not form part of the application and the application does not rely on these proposals for screening.

In support of the application and in response to queries raised by third parties, the applicant's agent has provided the following comments:

A composting toilet will be installed in each shepherd's hut, all waste from the toilet will be contained within a sealed chamber installed in the hut, and the waste will then be emptied and removed off site by licensed professionals. We will provide environmental friendly cleaning products and toiletries for each guest.

The water provided in 'plastic drums' will not be for drinking purposes and will be clearly labelled. As the site is self-catering it will be up to the guests to provide their own drinking water as is the norm for such sites.

We do not see how a maximum of two people visiting each hut during the summer months will affect the ability for the grass/meadow to grow.

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The western boundary alongside the road is planted with mature native trees along the entire length, they will provide highly effective screening in the summer months and we have carefully selected locations in the site ensuring their discrete positioning within the existing landscape.

We have considered visibility and have adapted our business plan and propose to remove the huts during winter months when they would be more visible.

Our website and other booking platforms will clearly state our noise policy and each hut will have a set of rules within them. We will not provide radios or TV's. The purpose of our shepherd's huts is to provide a quiet eco-retreat, free from noise. There is no Wi-Fi or mobile phone signal. The huts will only have one double bed and will cater for adult couples only we do not intend to cater for families. We believe the rustic, off-grid nature of the site will attract those visitors who truly wish to escape from modern distractions and retreat to the tranquillity of the location.

We will also operate a strict no visitor rule. Should people wish to meet friends or family in the area they will be directed to do so away from the site. They are only one bed huts, so playing sports is unlikely. Bonfires will not be allowed.

We will inspect the parking bays after each departure and lift and relay as required which will ensure that no digging out will be necessary as they won't get the opportunity to become impacted. As the site would only be used in the summer months this highly unlikely to be an issue.

All waste will be removed in accordance with the local authorities' guidelines, we also intend to encourage the use of recycling and reducing as much waste as possible. Food waste will be composted via our own compost bins situated in our garden. Guests will be asked to take recycling with them and will be provided with details of the nearest facilities (as is usual for this type of off-grid accommodation).

We paid around £700 to have two land drains put in on our land to divert water from the road and subsequently contacted the Forestry Commission to replace a damaged culvert and clear a number of drainage ditches which was completed in early 2021.

Main Issues

Local Plan

Strategic Policy B (The Spatial Strategy) sets out the principle of development in the National Park according to spatial criteria. Development in the open countryside will only be permitted inter alia where it meets the requirements set out at Policy UE2.

Strategic Policy G (Landscape) gives weight to the landscape impact of proposals and seeks to control the location, scale and detailed design of any proposal to ensure the scheme respects and enhances the local landscape character type.

Strategic Policy J (Tourism and Recreation) seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides

opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or public rights of way.

Policy UE2 relates specifically to Camping, Glamping, Caravans and Cabins. The policy states that development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, tepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where it is within Helmsley or the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or; where it is in open countryside and is not isolated from an existing business or residential unit which will be used to manage the accommodation. The development must not cause unacceptable harm in terms of noise and activity on the immediate area or detract from the character, tranquillity or visual attractiveness of the area. The accommodation should be of a high quality design which complements its surroundings.

Strategic Policy H (Habitats, Wildlife, Biodiversity and Geodiversity) seeks to ensure the conservation, restoration and enhancement of habitats, wildlife, biodiversity and geodiversity in the North York Moors National Park is given great weight in decision making and goes on to state that development proposals that are likely to have a harmful impact on protected or valuable sites or species will only be permitted where it can be demonstrated that there are no alternatives, there are suitable mitigation measures, any residual harmful impacts have been offset through appropriate habitat enhancement and the wider sustainability benefits of the development outweigh the harm to the protected or valuable interest.

Material considerations

Principle of glamping use

When the current Local Plan was adopted in July 2020, one of the key changes from the previous plan was a conscious approach to allow more small scale off-grid camping and glamping provision in countryside locations where they would not be harmful to the character and appearance of the landscape and can be managed by an existing dwelling to meet the Management Plan aspiration for increasing visitor numbers to the National Park. However, policies recognise the importance of preventing sporadic development in the open countryside on areas of land that are otherwise undeveloped or separate from existing development such as farmsteads or other businesses. Criterion 2 of Policy UE2 specifically states that in the open countryside (i.e. outside the main built up area of listed settlements) such development must not be isolated from an existing business or residential unit which will be used to manage the accommodation.

Although there will be an element of judgment about what constitutes isolation or separation from the main existing dwelling, farm or business, this element of the policy has two considerations. Firstly whether the existing dwelling unit is close enough to enable the site to be reasonably managed and secondly whether the site can be

accepted as being part of an existing development as opposed to in a greenfield context or setting.

On the first matter officers accept that 3 Forest Bungalows is sufficiently close to the site to enable supervision to take place so that any potential emergency or amenity issue could be dealt with in a matter of minutes. The second issue however, is different in that the physical separation between the 'managing dwelling' and the proposed site is such that even though it can be considered as close by, the site is separated from the managing unit by other dwellings, across a road and is as such is not considered to be associated with site of the dwelling. As such it represents an undeveloped isolated parcel of land in the open countryside and on balance this element of the policy is not met.

Landscape impact

The application field is located at the bottom of a steep hill and screened from wider views by both substantial existing tree planting and topography, as it is located within the wider setting of Cropton Forest.

The boundary of the site with Sutherland Road (which is also a public bridleway) is well treed but the site can be looked into from here, however, the three shepherd's huts, which would be spaced approximately 90m apart would be approximately 100m to the east of the road side boundary and set against a backdrop of trees.

Although it is not considered that the proposed huts would be particularly visually prominent in the wider landscape, the character and appearance of the land would change to one that is subject to a degree of development and associated activity.

The applicant is also proposing additional tree planting through a contract with the Woodland Trust, however, whilst this is something the applicant wishes to do, it is not required to sufficiently screen the proposed development, which is considered to be sufficiently screened with existing planting and topography which is an important requirement of Policy UE2.

Car parking and highway safety

Only a small area will be required for the parking of cars and this would be located just inside the field boundary to the north of the entrance gate. Car parking here would be adjacent the treed boundary and the small number of cars generated by the siting of three small shepherd's huts is unlikely to have an unacceptable landscape impact.

Furthermore, the level of traffic generated is unlikely to have an impact on the safety of the bridleway and the Highway Authority have raised no objections to this small scale development, subject to the provision of additional passing places which the applicants have agreed to undertake, as required.

Proximity to managers dwelling

The site is located within easy walking distance (less than 10 minutes on foot) of the applicant's dwelling and the operation of the three holiday units can therefore be

conveniently managed from there without the need for additional permanent residential accommodation.

Impact on residential amenity

Whilst concern has been expressed by nearby residents that the development would have a detrimental impact on their residential amenity and peace and tranquillity they currently enjoy, only three, one bed shepherd's huts are proposed which would be situated over 100m from these properties. It is considered that the activity levels generated by this proposal as it stands would not be significant and would be unlikely to have an adverse impact on residential amenity.

Ecology

The Authority's ecologist has been consulted and has not raised any objections to the proposed development.

Conclusion

Although the proposed three glamping units which are low key and are proposed to be used in situ for only part of the year it is nevertheless considered that the site is sufficiently separated from the managing unit to be considered isolated. The land therefore represents an existing undeveloped greenfield site in the open countryside and although this specific proposal is low key it is considered to represent sporadic development which is not supported by policy. Moreover, if the principle of the site being used for camping/glamping under Policy UE2 were accepted, it would be difficult to prevent further development up to the policy limit of 12 units, which in this isolated and tranquil location would have a harmful impact on National Park special qualities.

In view of the above, it is considered that on balance the proposed development does not meet the spatial requirements of Strategic Policy B and Policy UE2 of the Authority's adopted Local Plan. Therefore, the application is recommended for refusal.

Contribution to Management Plan objectives

Although the proposal would help meet the objectives of some of the tourism policies of the North York Moors Management Plan it is considered that in principle it would conflict with Policy E3 which seeks to ensure that new development will not have a detrimental impact on the landscape of the National Park.