

North York Moors National Park Authority

Plans list item 3, Planning Committee report 02 September 2021

Application reference number: NYM/2021/0482/FL

Development description: use of land for the siting of 1 no. shepherd's hut for holiday letting purposes with associated hardstanding (retrospective)

Site address: Highfield, High Hawsker

Parish: Hawsker-Cum-Stainsacre

Case officer: Mrs Helen Stephenson

Applicant: Mr Guy Coulson, Highfield, High Hawsker, Whitby, YO22 4LF

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	PLAN02	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.
3	RSU011	The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.
4	RSU014	The holiday unit hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Highfield and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.

5	WPDR12	Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.
6	LNDS03	No trees, shrubs or hedges to the north, east and west of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work - Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.
7	MISC14	If the use of the shepherd's hut hereby approved permanently ceases it shall be removed from the land within six months of that cessation and the land shall, as far as practical, be restored to its condition before development took place.
8	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.

Informative(s)

Informative number	Informative code	Informative text
1	INFO0	The applicant is advised that it is necessary to obtain a caravan site licence for the unit from Scarborough Borough Council. An application form can be obtained by contacting the Environmental Health Officer, Stephanie Baines via e-mail: stephanie.baines@scarborough.gov.uk or telephone: 01723 232530

Map showing application site



North York Moors
National Park
Authority

Application Number: NYM/2021/0482/FL

Scale: 1:1250

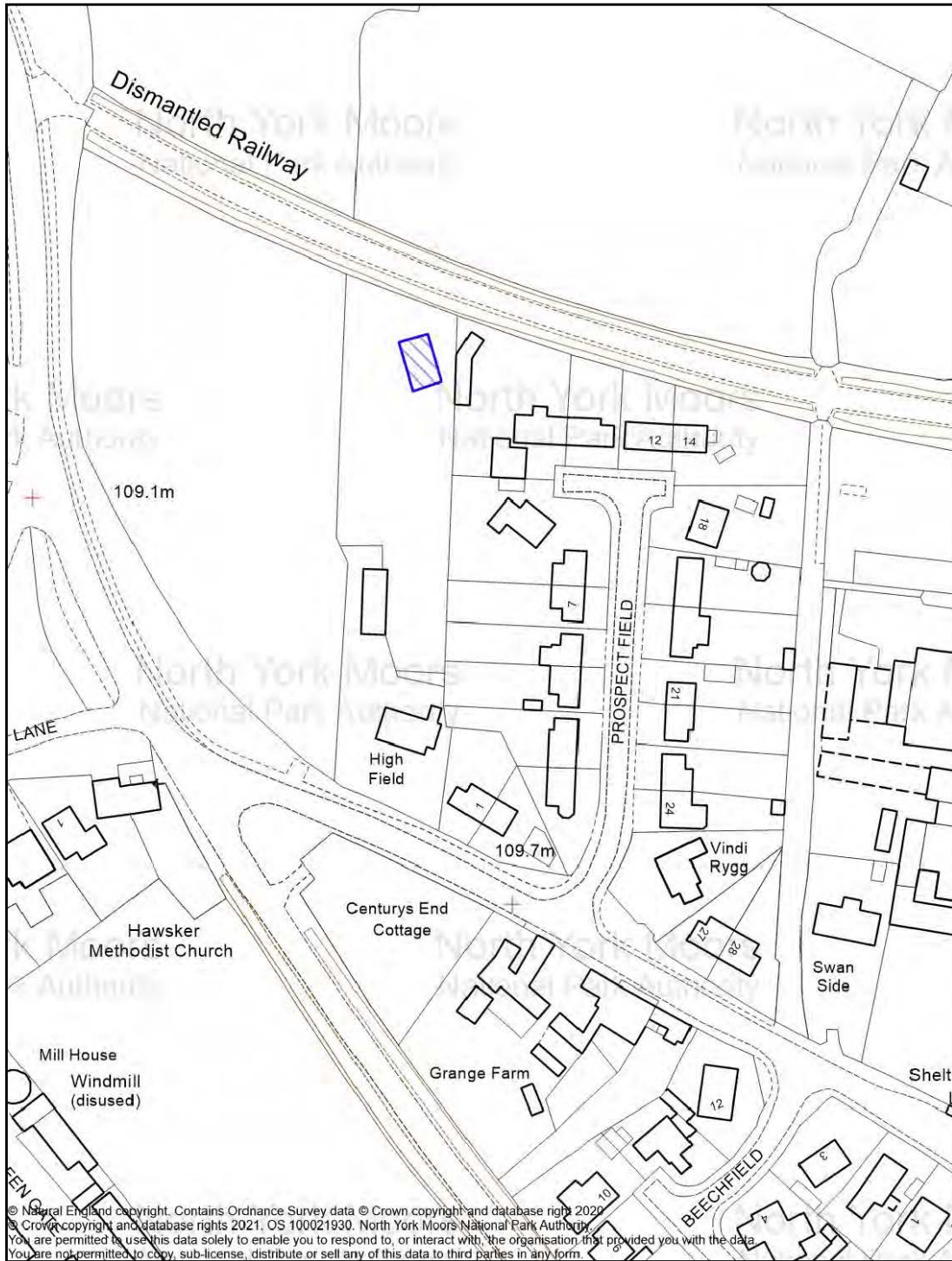


Photo showing view of shepherd's hut taken from the embankment of the Cinder Track, against a backdrop of mature evergreen trees. Newly planted pine trees can be seen to the side of the hut and additional hedge planting has taken place along the post and rail fence boundary in the foreground



Photo showing view of shepherd's hut taken from the main road, prior to tree planting. The hut can be seen beyond the field in the foreground, against a backdrop of mature evergreen trees. To the right of the trees the properties on Prospect Field can be seen



Consultation responses

Parish

Object. Concerns have been raised that the siting of the hut will increase noise and light pollution, the toilet/shower block is located away from the hut, noise and light pollution will increase especially when visiting the toilet in the night. The hut is also visible from the Cinder Track.

Highways

Request clarification of guest parking.

Environmental Health

No objections to the granting of planning consent on housing or caravan site licensing grounds. The applicant should be made aware that he will need to obtain a caravan site licence for the unit. An application form can be obtained by contacting me.

Consultation expiry

25 August 2021

Background

Highfield is a relatively modern, detached property of artificial stone construction under a pantile roof. It occupies an elevated position and is set back from the road on the north side of the road in Hawsker, approximately 50m from the junction with the main road (A171). The property is the first/last property on entering/leaving the village and is bound to the east by the properties on Prospect Field. The dwelling benefits from a parcel of land stretching back (to the north) where it meets the cinder track.

Planning permission was granted in 2004 for the erection of a block of three kennels located adjacent to existing kennels and stables to the immediate north west of the house. In 2020, planning permission was granted for the change of use of land from grazing purposes (horses) to a manège.

This application seeks retrospective planning permission for the siting of a shepherd's hut and further permission for its use as a single unit of holiday accommodation for up to two people. The applicant has explained that the hut has been restored on its original chassis and together with the mature backdrop of trees along the eastern boundary, further planting of pine trees and native hedging has taken place to the west and north to improve the existing screening. The hut will be accessible on foot and bicycle from the cinder track or alternatively by car via the access to the main house where toilet and shower facilities are also available. The applicant intends to manage the unit from the main address; Highfield.

Main Issues

The main issues are considered to be whether the shepherd's hut is of a size, scale and in a location which are compatible with the setting and wider National Park landscape. To help make this judgement, the following planning policies will be considered:

Local Plan

The relevant NYM Local Plan Policies to this application are **Strategic Policy G** (Landscape), **Strategic Policy J** (Tourism), **Policy UE2** (Camping, Glamping, Caravans and Cabins) and **Policy ENV4** (Dark Night Skies).

Strategic Policy G gives weight to the landscape impact of proposals and seeks 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 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 is supportive of a range of small scale holiday accommodation, favouring small units of high quality design (i.e. pods, yurts, cabins, chalets, caravans and motorhomes) rather than static caravans which significantly detract from the landscape. In the open countryside, the policy advises that development will be permitted provided it is not isolated from an existing business or residential unit from which the site can be managed. In order to respect the sensitivity of the local landscape, all sites must be screened by existing topography, buildings or adequate well-established vegetation.

ENV4 seeks to ensure the darkness of night skies above the National Park are maintained and all development will be expected to minimise light spillage. No external lighting will be permitted in remote areas and in the open countryside, lighting (which meets adopted lighting guidelines) will only be permitted where it can be demonstrated it is essential for safety or security reasons.

Size, scale and design

The proposed shepherd's hut is understood to be a traditional structure, restored on its original chassis. It is therefore small-scale (measuring 3.5 metres by 2.1 metres, 2.6 metres to ridge) and painted the original dark 'Oxford' blue. The applicant has stated that it will only be available to up to two guests at a time.

The structure is simple and an attractive example of a shepherd's hut. Window openings are limited to the 'gable' ends and therefore the solid nature of the hut helps ensure it appears utilitarian and recessive. Its design is therefore considered to be acceptable under the requirements of Policy UE2.

Setting and use

Although the shepherd's hut is not well screened by established trees, topography or existing buildings to wholly meet the requirements of Local Plan Policy UE2, it is seen in the context of the rail trail, neighbouring developments and has a mature tree belt as a backdrop and some limited foreground tree screening. It is also seen in the context of the applicant's workshop building and dwelling. Consequently, although publicly visible the development is not considered to be unacceptably harmful to the landscape character of this locality which has a main road and a number of large commercial units in close proximity. It is not therefore, a particularly remote or tranquil area of the National Park.

The applicant has already planted a number of trees (although it is regrettable that they are not native, broadleaved specimens) together with adding native species to enhance and improve the hedge.

The position of the hut is at the lower end of the applicant's field, close to the Cinder Track and quite detached from the host property. However, the paddock is used for horse/pony grazing and therefore has a moderately domestic appearance and the eastern boundary to the field is shared with the domestic gardens of the properties on Prospect Field.

Immediately behind the mature tree backdrop is a range of outbuildings associated with the property at the head of the cul-de-sac and other gardens also continue to back onto the Cinder Track beyond the shepherd's hut. Officers are therefore satisfied that there is sufficient built form and general activity in the vicinity to provide a suitable context for this small-scale development. It is noted that the Parish Council is concerned that the hut is visible from the Cinder Track but by reason of the dark blue paint colour and considerations outlined above, the shepherd's hut is not considered to result in an unacceptable level of harm.

Having regard to the use and likely level of activity arising from the development, in the wider context of the village and nearby commercial and community facilities (including the village hall and village pub), the small-scale use of the hut is not considered likely to result in unacceptable level of harm to neighbouring amenities. The accommodation is within sight and sound of the host property and lighting has been kept to a minimum to address concerns relating to light pollution and also to comply with Local Plan Policy ENV4. The applicant has explained that, other than the external lamps on the hut to illuminate the steps, guests will be provided with a torch to help guide them along the footpath to the toilet and shower facilities.

The Authority's Ecologist has raised some concerns with aspects of the lighting and requested amendments which are currently in negotiation. However, subject to suitable

amendments, it is not considered that the development will give rise to unacceptable harm to neighbouring amenity or dark night skies.

Car parking is proposed to be accommodated within the curtilage of the main dwelling, accessed from the existing driveway with only pedestrian access to the hut. Therefore, the level of ancillary development associated with the hut is minimal.

On balance it is not considered that the shepherd's hut to be used for holiday accommodation would have an adverse impact on the landscape character of the setting and in this location the balance is considered to weigh in favour of approval.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policies B3, B4 and B5 which seek to promote overnight tourism, improve the quality and variety of tourist accommodation and reduce the environmental impact of tourism businesses.

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 areas of the application which required further information/clarification with the applicant and requesting the submission of additional information 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.