

North York Moors National Park Authority

Internal Memorandum

To: Mr Chris France (Director of Planning)

From: Mrs Hilary Saunders

Mr Mark Hill (Head of Development Management)

File Ref: NYM/2021/0472/FL

Applicant: Mr and Mrs Stripling Scott

Application for use of land for the siting of 3 no. shepherds huts for holiday letting purposes and associated parking at Land off Sutherland Road, Cropton

I enclose for your attention the file relating to the above planning application which was approved by the Planning Committee on 14 October 2021, subject to the following conditions:

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| 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 (including the proffered additional new tree screening mitigation) hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority. |
| 3 | RSN00 | No more than 3 Shepherds huts shall be sited within the application site at any one time and they 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 | RSN00 | The holiday units (3 no. shepherds huts) hereby permitted shall be managed from the existing dwelling known as 3 Forestry Bungalows, Sutherland Road, Cropton and shall not be managed, 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 | RSN00 | No shepherds hut shall remain on the site between 30 September in any one year and 1 April in the succeeding year. The huts shall be stored off-site during that time period within the existing barn at 3 Forestry Bungalows as set out in the email from Katie Atkinson received 9 August 2021 or at a commercial storage facility. Any variation to this will require a new grant of planning consent from the Local Planning Authority. |
| 6 | RSN00 | This permission relates to the siting of traditional style Shepherd's Huts for holiday use only. The huts shall not be replaced with any other structure/caravan for holiday use. |
| 7 | GACS00 | No external lighting shall be installed in the development hereby permitted. Any variation to this will require a new grant of planning |

consent from the Local Planning Authority.

- 8 HWAY00 The crossing of the highway verge and/or footway must be constructed in accordance with the approved details and/or Standard Detail number E50 Rev A, access construction and standards Detail B2 Conservation kerbs (enclosed) and the following requirements.
- Any gates or barriers must be erected a minimum distance of 2 metres back from the carriageway of the existing highway and must not be able to swing over the existing or proposed highway.
 - The final surfacing of any private access within 2 metres of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - Measures to enable vehicles to enter and leave the site in a forward gear.
- 9 HWAY00 All works must accord with the approved details.
Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's web site:
<https://www.northyorks.gov.uk/sites/default/files/fileroot/Transport%20and%20streets/Roads%2C%20highways%20and%20pavements/Specification%20for%20housing%20and%20industrial%20roads%20and%20private%20streets%20works%202nd%20edition.pdf>
- 10 HWAY00 The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.
The following schemes of off-site highway mitigation measures must be completed as indicated below:
- Installation of passing Place works at Sutherland road prior to the development being brought into use - locations to be agreed
- For each scheme of off-site highway mitigation, except for investigative works, no excavation or other groundworks or the depositing of material on site in connection with the construction of any scheme of off-site highway mitigation or any structure or apparatus which will lie beneath that scheme must take place, until full detailed engineering drawings of all aspects of that scheme including any structures which affect or form part of the scheme have been submitted to and approved in writing by the Local Planning Authority.
- An independent Stage 2 Road Safety Audit carried out in accordance with GG119 – Road Safety Audits or any superseding regulations must be included in the submission and the design proposals must be amended in accordance with the recommendations of the submitted Safety Audit prior to the commencement of works on site.
- A programme for the delivery of that scheme and its interaction with delivery of the other identified schemes must be submitted to and approved in writing by the Local Planning Authority prior to construction works commencing on site.

- Each item of the off-site highway works must be completed in accordance with the approved engineering details and programme.
- 11 If the use of the Shepherd Huts hereby approved has ceased for a period of more than 18 months, they shall be removed from the site within Six months of the cessation and the land shall, as far as practical, be restored to its condition before development took place.
12. Foul sewage disposal shall be provided in the form of composting toilets as detailed in the email from Katie Atkinson dated 26 July 2021. The development shall not be brought into use until the drainage facilities have been provided in accordance with the approved details and shall thereafter be so maintained.

Informative

Notwithstanding any valid planning permission for works to amend the existing highway, there must be no works in the existing highway until an Agreement under Section 278 of the Highways Act 1980 has been entered into between the Developer and North Yorkshire County Council as the Local Highway Authority. To carry out works within the highway without a formal Agreement in place is an offence.

Reasons for conditions

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| 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 NYM Strategic Policy A and NYM Strategic Policy C, which seek to conserve and enhance the special qualities of the NYM National Park |
| 3 | RSN00 | The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted in accordance with Policy UE4 and to ensure that a traditional rural building is conserved in line with Policy CO12. |
| 4 | RSN00 | In accordance with Strategic Policy M and Policy UE2 of the NYM Local Plan which requires such holiday accommodation to be managed on site and that the occupation of such accommodation does not operate as separate independent dwelling unit. |
| 5 | GACS00 | In order to ensure that the caravans and associated levels of activity are not occupied on a year round basis when tree cover is minimal and in order to comply with Strategic Policy A of the North York Moors Local Plan. |
| 6 & 11 | GAC00 | 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. |
| 7 | 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. |
| 8-10 | HWAY00 | To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users. |

- 12 DRGE00 To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.

I should be pleased if you would approve the issue of the decision notice.

Signed: Mark Hill

Date: 28/10/2021