

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0971/FL

**Development description:** variation of condition 1 of planning approval NYM/2018/0830/FL to allow the siting of a storage container with timber screen and access path

**Site address:** The Courtyard, The Bike Barn, 2 Low Dalby Road, Thornton-Le-Dale

**Parish:** Thornton Le Dale

**Case officer:** Mrs Jill Bastow

**Applicant:** Dalby Forest Cycle Hub

fao: Mr Beeley, Three Gables, Hawthorn Lane, Pickering, YO18 7HR

**Agent:** Peter Rayment Design Ltd

fao: Mr Richard Waller, Woodbine Cottage, Westgate, Thornton Le Dale, Pickering, YO18 7SG, N Yorkshire

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text
1	TIME13	The permission hereby granted is valid only for 10 years from the date of this permission and the container shall be removed from the site before this consent expires and the site restored to its former condition before that date.
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	MISC00	If use of the storage container hereby permitted in connection with The Bike Barn 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.
4	LNDS00	The timber screen fence hereby approved as part of the development shall be retained and maintained whilst the storage container remains on site unless otherwise agreed in writing with the Local Planning Authority

### Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TME00	To ensure that the unacceptable impacts of the existing development are adequately addressed within an appropriate time frame and to allow the development to be retained in an environmentally acceptable condition and to accord with Strategic Policy A of the North York Moors Local Plan.
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	MISC00	In order to return the land to its former condition and comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape of the National Park.
4	LNDS00	In the interests of the satisfactory appearance of the development 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.

## Consultation responses

### Parish

No comments received

### Highways

No objection

### Forestry Commission

No comments received

### Natural England

No objection

### Third party responses

None received

### Publicity expiry

Advertisement/site notice expiry date: 4 January 2022



View from the staff car park showing the timber fence screening the container





View from the access road to The Bike Barn showing the extensive landscaping about the site screening the container



View from the access road to The Bike Barn showing the extensive landscaping about the site screening the container

## Background

Planning permission was originally granted in February 2019 for the siting of a shipping container within the staff car park to the rear (south) of the courtyard buildings at Low Dalby to provide additional storage for the bike hire business on the site. The container, which measures 12.2 metres by 2.4 metres with a height of 2.6 metres, is specifically used for the storage of adapted bikes which previously were stored off-site in the workshop buildings to the north of Low Dalby village. The permission was time limited to three years to allow the applicants to investigate a more permanent storage solution on the site.

The container is located to the south of the existing courtyard buildings and is enclosed to the south and east by mature hedges; to the north by the courtyard buildings; and to the west by a 2.4 metre high timber horizontally boarded fence, which has been designed to match the timber cladding of the adjacent buildings.

In support of the application to retain the storage container on a permanent basis the applicant has confirmed that it is vital to their commitment of providing a high quality inclusive cycling offer to all visitors to the forest. Adapted bikes come in all shapes and sizes but are typically bulky, heavy and take up a lot of storage space. However without such bikes anyone who cannot ride a regular two wheeler bike is denied the opportunity of joining their family and friends on a ride.

## Main issues

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

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.

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.

The main issue relating to this application is considered to be whether the long term siting of the container would have a detrimental impact on visual amenity and the character of the area.

The container is required to provide secure storage for adapted bicycles in association with the bike hire facility at Low Dalby which will improve the existing tourism business here and enable those less able bodied to enjoy the special qualities of Dalby Forest and this area of the National Park by a sustainable mode of transport and as such is supported in principle by Strategic Policy J.

With regard to the detailed design the Authority generally only supports the use of metal shipping containers as a temporary storage solution whilst a more permanent storage arrangement is sought given the adverse impact they can have on the landscape of the National Park.

In this case the shipping container provides an ideal, low cost storage solution for the bike hire facility at Dalby Forest: adapted bikes are bulky and heavy and require a lot of storage space. The container is a temporary structure by nature, functional in design and appearance and of low quality materials, such that it does not complement the local vernacular as required by Strategic Policy C. However it is exceptionally well screened by the mature landscaping about the site and the purposefully designed fence which matches the timber boarding of the courtyard buildings such that it is not visually intrusive in either the immediate or wider landscape and does not detract from the setting of the existing courtyard buildings.

Given the importance of providing opportunities for all people to increase their awareness, understanding and enjoyment of the National Park, a secure storage container for adapted bicycles close to the bike hire facility is considered essential to meet that objective of Strategic Policy J.

In view of the above there is a proven need for a secure storage solution on the site of sufficient size to accommodate the various adapted bicycles used by the bike hire facility and the existing storage container, given the screening about the site, does not have an adverse impact on the setting of the existing buildings at Low Dalby or the wider landscape of the Dalby Forest. As such it is considered that the long term retention of the container for its current purposes can be supported in accordance with the policies of the Local Plan. A condition requiring the removal of the container once it is no longer required for its current purpose 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.