

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0970/FL

**Development description:** use of land for the siting of 10 no. shepherds huts for holiday letting purposes, use of existing field shelter and store to provide bike and waste water storage facilities and associated access, parking, linkage paths, landscaping and drainage works

**Site address:** land off Raikes Lane, Sneatonthorpe, Sneaton

**Parish:** Sneaton

**Case officer:** Mrs Hilary Saunders

**Applicant:** Ms Rachel Barker  
21 Lowdale Lane, Sleights, Whitby, YO22 5BU,

## Director of Planning's Recommendation

Refusal for the following reason(s)

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The application site is not associated, physically linked, or adjoining the site of an existing business or 'managing dwelling' and as such the proposed development of tourism accommodation represents the development of an undeveloped isolated parcel of land in the open countryside which is likely to lead to development pressure for managers accommodation in the open countryside. Furthermore, the nature of the deciduous roadside hedge would be likely to result in poor winter screening of the site and not represent 'adequate well-established vegetation'. 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.
2	The proposed development would, due to the introduction of lighting to serve the proposed facilities, result in significant light spill in the local area which would detrimentally affect the dark skies reserve of the National Park and negatively impact on nocturnal wildlife. The development would therefore be in conflict with Policy ENV4 of the NYM Local Plan which seeks to ensure that the darkness of the night skies above the National Park, and the associated ecology benefits, are maintained and enhanced.

## **Consultation responses**

### **Parish**

Insert

### **Highways**

No objections subject to conditions

### **Yorkshire/Northumbrian Water**

Insert

### **Environmental Heath**

No objections in principle however, the applicant should be aware of the need to apply for a caravan site licence. Additionally, if water is supplied to the site via a private water supply, the site will be subject to the Private Water Supplies (England) Regulations 2015, annual testing and five yearly risk assessment will be required, costs to be borne by the relevant person, and I would encourage the applicant to contact me to discuss this further.

### **North Yorkshire Police Designing Out Crime Officer -**

No objections but should ensure fixed cycle storage, security lighting and good security standard windows and doors.

## **Third party responses**

### **Name**

**James Cox, Associate Director, Lichfield's, on behalf of Anglo American (Woodsmith) Ltd** - Whilst our client would raise no objection to the principle of the proposed development in the location proposed, we would suggest that the applicant is made aware of the proximity of the application proposals to the Woodsmith Mine site (permitted under permission ref. NYM/2017/0505/MEIA) and the construction and operational phases associated with it. Should the application be considered favourably by the planning authority, any mitigations to allow the two uses to operate unimpeded should be applied.

**Site notice expiry date – 11 January 2022**

Arial photo showing position of site in isolated open countryside location



Entrance to site from Raikes Lane



## Background

The application site is situated in a remote location on the west side of Raikes Lane to the south of Sneatonthorpe, near Whitby. The field has previously been used as a paddock for horse but there is no permanent or residential development on site, just field shelters.

The site is a field bounded to the roadside by hedging and along the western boundary by a tree belt outside the application site. It is accessed via an existing field gate from Raikes Lane.

This application seeks planning permission for the siting of 10 shepherds huts measuring 6m long x 2.5m wide by 3.8m high. Each shepherds hut would have a timber decking area bounded by picket fences. It is also proposed to re-use the existing field shelter and feed store as a bike store and waste storage area. A loose stone hardstanding area would also be provided to provide parking for 11 vehicles.

## Main issues

### Local Plan

**Strategic Policy A** – National Park Purposes – seeks to take a positive approach to new development, in line with the presumption in favour of sustainable development and where decisions are consistent with National Park statutory purposes:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;
2. To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

It goes on to state that where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

**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.

**Policy ENV4** - Dark Night Skies - seeks to ensure that the darkness of the night skies above the National Park are maintained and enhanced and requires that all development will be expected to minimise light spillage through good design and lighting management.

**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.

### **Material Considerations**

Whilst Policies in the Local Plan seek to support small scale off-grid camping and glamping provision in open countryside, in order to meet the Management Plan aspiration for increasing visitor numbers to the National Park; this is only in locations where they would not be harmful to the character and appearance of the landscape and can be managed by an existing dwelling. Local Plan Policy recognises 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.

The deciduous and single shrub wide nature of the roadside hedge would provide poor winter screening of the site and this further reinforces the unacceptability of the proposal due to visual impact in winter.

In this case, the site comprises an undeveloped isolated parcel of land in the open countryside where there is no onsite residential accommodation from which to manage the development and limited roadside screening.

Whilst no details have been provided regarding potential lighting of the development, each hut would be provided with an external decking area and there is a separate parking area and bike and bin storage area. It is inevitable that all of these areas would be externally lit which would have a potential impact on the National Park's dark skies qualities as the site and its surroundings are at present entirely unlit.

### **Conclusion**

The land represents an existing undeveloped greenfield site in the open countryside and this proposal would result in sporadic development in the open countryside and would also be likely to be detrimental to the dark skies reserve above the National Park.

The proposal is therefore contrary to the above policies and would have a harmful impact on National Park special qualities, consequently, refusal is recommended.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.