

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0353

Development description: use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)

Site address: land off Raikes Lane, Sneatonthorpe, Sneaton

Parish: Sneaton

Case officer: Mrs Hilary Saunders

Applicant: Ms Rachel Barker
21 Lowdale Lane, Sleights, Whitby

Agent:

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. 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	Policy C010 of The North York Moors Local Plan only permits new housing development in Open Countryside where there is an essential need to support established farming, forestry or other essential land management activities. The application site is located within the open countryside and therefore would not comply with the criteria of Policy C010. If permitted, the proposal would represent 'sporadic' development in the countryside which would significantly harm the landscape character and special qualities of this part of the National Park. This would conflict with Strategic Policies A, B and M and Policy C010 of

	the NYM Local Plan which set out the spatial strategy for development and seek to conserve and enhance the special qualities of the National Park.
3	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

Comments due 23 June 2022 – no comments made on last application

Highways

The applicant has stated in the application form that no alterations are planned for the access to the site. This existing access does not meet the current specification for the local highway authority in terms of the construction of the verge crossing, the position of the gate and the opening of the gate. These details should be considered by the applicant and conditions are recommended to improve it.

North Yorkshire Police Designing Out Crime

Having reviewed the documents and drawings that have been submitted with this current application, it would appear to be similar to the previous application, but with a reduction in the number of shepherd huts, and the introduction of a new managers lodge. No specific objections.

Environmental Health

No objections in principle to the granting of planning consent on housing or caravan site licensing grounds.

Third party responses

None

Publicity expiry

Site notice expiry date – 10 June 2022

Aerial 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.

Planning permission was refused earlier this year for the siting of 10 shepherds huts measuring 6m long x 2.5m wide by 3.8m high, each with timber decking areas bounded by picket fences. It was also proposed to re-use the existing field shelter and feed store as a bike store and waste storage area, along with a loose stone hardstanding area would also be provided to provide parking for 11 vehicles. The scheme was considered to be contrary to Policy UE2 due to its isolated location, lack of screening and lack of any on site residential accommodation.

This revised application seeks permission for a reduced number of 5 shepherds huts along with the demolition of the existing field shelter and replacement with a timber clad dwelling to be used as a unit of managers accommodation comprising 2 bedrooms,

bathroom, kitchen/dining room and stairs up to an upper mezzanine. The feed store would be used as a bike store and waste storage and a gravel area created to provide parking for 9 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.

Strategic Policy M - Housing – seeks to ensure the delivery of new homes to help meet the needs of local communities and be delivered through the development of sites allocated in the Helmsley Local Plan and in Policy ENV13, Environmental Enhancement Sites; through windfall development, including custom and self-build housing, on suitable small sites in listed settlements; through affordable housing schemes on rural exception sites and through proposals put forward in accordance with a Whole Estate Plan approved by the National Park Authority. However, to protect the open countryside from inappropriate housing development new housing will only be permitted if there are exceptional circumstances in terms of meeting the needs of essential rural workers.

Policy CO10 - Housing in Open Countryside – seeks to ensure that in order to maintain the quality of the National Park landscape, housing development in Open Countryside will only be permitted where there is an essential need to support established farming, forestry or other essential land management activities, where an existing dwelling is to be replaced; or where a rural building is of architectural or historic interest and is to be converted.

Occupancy will be restricted to agricultural, forestry or other essential land management workers.

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, 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 proposed construction of a new managers unit of accommodation, albeit in the form of a timber lodge, is not considered to overcome the previous reasons for refusal regarding the isolated nature of the site. Furthermore, the erection of a new dwelling within the open countryside where there is no agricultural need creates further conflict with the Local Development Plan, contrary to Strategic Policy M and Policy CO10.

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 existing onsite residential accommodation from which to

manage the development and limited roadside screening, along with the construction of a managers dwelling.

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.