

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0337

**Development description:** use of land for the siting of a yurt and gypsy wagon with ancillary structures and erection of two cabins with decking for holiday letting purposes (retrospective)

**Site address:** Wild Slack Farm, West Mire Howe and Lawns Gate Farm, Lealholm

**Parish:** Glaisdale

**Case officer:** Miss Megan O'Mara

**Applicant:** Messrs Martin & Aidan Foord  
Wild Slack Farm, Lawns Gate Farm, Lealholm, Whitby, YO21 2AW

**Agent:**

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text
1	PLAN02	<p>Strict Accordance With the Plans/Specifications or Minor Variations</p> <p>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.</p>
2	RSU011	<p>Use as Holiday Accommodation Only - Outside Villages</p> <p>The units 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.</p>
3	RSU000	<p>The Game Larder, Yurt and Gypsy Wagon are to be managed by the occupants of Lawnsgate Farm, Lealhom and are to remain as a single planning unit with Lawnsgate Farm unless otherwise agreed in writing by the Local Planning Authority.</p>
4	RSU000	<p>The Crumbleclive Cabin is to be managed by Wild Slack Farm and is to remain as a single planning unit with Wild Slack Farm, unless otherwise agreed in writing by the Local Planning Authority.</p>
5	MATS00	<p>All parking for The Game Larder, Yurt and Gypsy Wagon is to be accommodated for at Lawnsgate Farm and all parking for The Crumbleclive Cabin is to be accommodated for at Wild Slack Farm.</p>
6	GACS07	<p>External Lighting - Submit Details</p> <p>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.</p>

7	MISC00	If the use of any of the units hereby approved permanently ceases, the unit shall be removed from the site within 12 months of that cessation and the site previously occupied by that unit shall, as far as practical, be restored to its condition before development took place.
<b>Reason(s) for condition(s)</b>		
Reason number	Reason code	Reason text
1	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.
2	RSU000	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
3	RSU000	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
4	RSU000	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
5	MISC00	In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of highway safety
6	GACS00	In order to comply with the provisions of Strategic Policy A 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.
7	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.

## Consultation responses

### Parish

Support – 21 May 2022 – The proposals are of good design and it also felt that efficient use of renewables should be encouraged

### Highways

No objections – 26 May 2022

### Natural England

Not able to fully assess – 20 June 2022

### Environmental Health

No objections – 22 June 2022

## Third party responses

### Mrs Ann Ward The Old Barn Great Fryupdale Lealholm YO21 2AW

Comments – 8 July 2022 – Concern that the development will affect the local water supply for neighbouring residents in a negative way.

### Ms Ann Gosling, Shaw End Cottage, Shaw End, Lealholm, YO21 2AT

Object – 30 June 2022- Ms Gosling objects to the proposals considering that the proposals are an overdevelopment of the open countryside. It is also felt that there has been an increase of traffic as a result of the development, to the detriment of local walkers. Ms Gosling also states that there has been an impact on local wildlife as a result of the development.

## Publicity expiry

Advertisement/site notice expiry date: 14 July 2022



The Gypsy Wagon in situ.



The Yurt in situ.



The Crumbleclive Cabin in situ.



The Game Larder in situ.

## Background

This application seeks retrospective planning permission for the introduction of 4 units of holiday accommodation at Lawns Gate Farm and Wild Slack Farm. The units include two small cabins, a yurt and a gypsy wagon.

Both farms are located in the open countryside of Lealholm and have established campsites at each site.

The development has been complete for some years before being brought to the Authority's attention. The applicants were advised to submit an application to regularise the unauthorised development.

## Main issues

### Local Plan Policies

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.

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, teepees, 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.

Strategic Policy A relates to Achieving National Park Purposes and Sustainable Development. Within the North York Moors National Park a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes. New development should conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park and also promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. 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 J relates specifically to tourism and recreation. The policy states that development will be supported 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 and where it provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents. The development should be of high quality, scale and design that takes into account and reflects the sensitivity of the local landscape. The development must not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way and must not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

### Discussion

This application is retrospective and the development that the applicants are seeking planning permission for has already been completed and the use has been implemented. The unauthorised development was brought to the Authority's attention and the applicants were subsequently advised to submit an application to regularise the works.

The application seeks planning permission for a total of four holiday let units. One of these units is a small cabin, known as the Game Larder, just outside of the domestic curtilage of Lawns Gate Farm. The unit can sleep a maximum of two people and is a small timber shed like cabin with a small area of decking for a hot tub. The unit relates well to surrounding structures and is unlikely to have a negative impact in terms of noise and activity as there is already an existing campsite immediately adjacent. All parking associated with this unit will be accommodated for within the farmyard.

The second cabin included in this application is known as the Crumbleclive Cabin and is located within dense woodland adjacent to Wild Slack Farm. Both Lawns Gate Farm and Wild Slack Farm was occupied by the same family group so the management of the units will be shared between them but all parking for Crumbleclive Cabin will be accommodated for at Wild Slack Farm. The cabin sleeps a maximum of two people and is sat on a raised platform of decking built into the existing topography of the site. The unit is within walking distance of Wild Slack Farm but is not visible from any public or wider viewpoints due to the density of natural screening that surrounds the unit. The development is unlikely to have a detrimental impact in terms of noise and activity as the area is relatively isolated with no immediate neighbours next to the farm. There is also an existing campsite in the adjacent field.

The final two units of accommodation are in the form of a gypsy wagon and a yurt which are located within an abandoned quarry approximately 340m north-east of Lawns Gate



Farm. Policy UE2 requires that any new holiday accommodation within the open countryside is closely related to existing buildings from which the development will be managed. The Authority would not normally support development this far from the management dwelling, however the site is accessible only by foot, so there will be no introduction of vehicular tracks or activity. All parking associated with the yurt and gypsy wagon will be accommodated for within the farmyard at Lawns Gate Farm. The site is extremely well screened within the quarry due to the topography and dense natural screening. There is a public footpath that runs close to the site however the development is not visible. Although domestic activity has been introduced into a spot that would not normally be appropriate, the level is minimal with a maximum of four people total staying in the abandoned quarry at any one time. Both units use compost loos and there is no formal services running to the site.

There have been two third party responses submitted regarding the application, with the main concerns including impact on water supply and the increase in vehicular activity. Water supply is not a material planning consideration and the Local Highways Authority have raised no objections.

Overall, whilst the development is not strictly in accordance with the Authority's Policies due to the location of the Yurt and gypsy wagon, all four units of accommodation are extremely well screened so result in no wider visual impact and are highly unlikely to be detrimental to the surrounding area in terms of noise and activity.

In view of the above, the application is recommended for approval.

#### 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 confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.