

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2021/0532/FL

**Development description:** construction of storage/office building with associated parking and landscaping works

**Site address:** Windhill Farm, Bentley Buildings, Glaisdale

**Parish:** Glaisdale

**Case officer:** Mrs Hilary Saunders

**Applicant:** Guy Bentley Limited

Windhill Farm, fao: Mr Tom Bentley, Bentley Buildings, Glaisdale, Whitby, YO21 2QY

**Agent:** BHD Partnership

fao: Mr Neil Duffield, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB, United Kingdom

## Director of Planning's Recommendation

Refusal for the following reason(s)

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The massing and siting of the proposed office/storage building within the open countryside would represent obtrusive sporadic development in the open countryside, which would be detrimental to the landscape character and appearance of this part of the National Park. The building would be clearly seen from the adjacent public highway and wider landscape and by reason of its extension of development into the open countryside would have a harmful impact on this landscape . The proposal would therefore be contrary to Policy BL1 of the North York Moors Local Plan which only allows small extensions to existing buildings in the open countryside.

## Consultation responses

### Parish

29 July 2022 - As with the original application, members were concerned with the overall size of the proposed development and its visibility on the landscape. This amendment appears to enlarge the buildings slightly and so increase the visibility concerns.

### Highways

No comments received

### North Yorkshire Fire & Rescue

No comments

### Natural England

No comments

## Third party responses

None received

## Publicity expiry

Site notice expiry date – 30 August 2021

Proposed site of building behind stone wall



Wider view in the context of the lane



View of wider site and open countryside setting (taken from google)



Looking westwards towards site showing open countryside location (taken from google)



## Background

Windhill Farm is located on the northern slope of Glaisdale Moor, midway between Lealholm and Glaisdale.

It comprises a complex of traditional and modern farm buildings used to run a civil engineering and groundworks contracting company. Permission was originally granted on the site in May 1996 which changed the use of the site from agriculture to agricultural, horticultural or landscape contractors' premises, including a store for plant and equipment, office space and open storage. This included planning permission for the silage clamp at the side of the site to be used as open storage associated with the contracting business. The following condition was attached to this approval: -

“With the exception of drainage gravel stored within the existing silage clamp to a height not exceeding the height of the clamp walls, there shall be no storage of any materials, machinery, plant, vehicles, waste or other items outside the building without prior written agreement of the local planning authority.”

Planning permission was granted in 2013 for the construction of a small extension to the existing office building attached to the plant store.

This current application seeks planning permission for a substantial detached building to be constructed within the area of the old silage clamp. The building would be L shaped and measure 31.527m long (along road facing elevation) x 8.925m deep on the eastern gable and 18.402m deep on the west elevation, which you view when approaching from Ainthorpe direction. The building would measure 5.5m to eaves and 7.35 to ridge. The elevations would be stone walling up to 1.8m with Yorkshire boarding above, with a grey profile sheet roof with a solar array on the south facing roofslope.

The building would be used to provide small plant hire storage unit, fabrication and maintenance workshop, and a plant and solar energy storage room.

In support of the application the applicant has submitted the following information: -

In 1994 we converted a redundant milking parlour into an office and the cow byre into storage facilities. The business was expanded in 1997 and in 2016 we built an extension to the office to house an expanded workforce.

However, until now, both our larger and smaller Plant has had to be stored in the yard outside. This is not ideal for security and insurance purposes (we have already been the victim of much vehicle and equipment crime and this area)

This proposal is needed for storage and maintenance units to house the Plant and thus tidy up and better secure the site. Further, the new storage, maintenance and office facilities included in the plan will allow us to extend and improve the hire and maintenance services we are offering, which in turn will provide more much-needed employment for this region.

Given that the current employment situation within the NYMNP relies so heavily on tourism and farming diversification (again tourism-driven) I feel strongly and passionately that regionally centred companies operating within the Park like ours are vital; not only to the local economy that sustains and is sustained by us, but as current and future local employment providers. We already work closely with an apprentice training company (Skills Village in Scarborough) to further the chances of young people to get a start – within the construction industry.

## Main issues

### Local Plan

Strategic Policy B (Spatial Strategy) seeks to guide developments to an appropriate location, it envisages that the focus for new business development will be in Helmsley. Within open countryside, new business development will only be permitted where it can be demonstrated that there are no suitable locations in Helmsley or larger villages.

Policy BL1(Employment and Training Development) requires that development of new or expansion of existing employment or training facilities will only be permitted within the main built-up areas of Helmsley and the Larger Villages where it reuses existing permanent buildings, forms a small extension of an existing building, or in the case of new buildings, there is no other suitable accommodation available in the locality.

Within the main built-up area of Smaller Villages, where a site in Helmsley or a Larger Village would not meet the requirements of the proposed enterprise; where it reuses existing permanent buildings or it forms a small extension of an existing building.

Within Open Countryside where it reuses existing permanent buildings; forms a small extension of an existing building. Or where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.

All proposals for employment and training development will be expected to demonstrate that the scale and location of the proposal would not be detrimental to the character and appearance of the local and wider landscape; the site can be safely accessed by the existing road network; there is sufficient land and storage space and

there is no unacceptable harm in terms of noise, activity or traffic generation on the immediate neighbourhood, either individually or cumulatively with other development.

This Policy goes on to state that employment land including land for storage and distribution (B8) uses is allocated within the National Park in the 2014 Whitby Business Park Area Action Plan and in the 2015 Helmsley Local Plan on land outside the National Park area.

### Material Considerations

The key issues are considered to be the appropriateness of locating this development in this open countryside location, when it does not require to be in such a location, and the increased sporadic development and its visual impact.

Firstly, the proposed building would be substantial in scale, and located at the top of a valley, with the land dropping away to the north, which would result in a visually prominent building from lower viewpoints. This visual impact would be exacerbated by the building being beyond any other built development in this location.

Furthermore, whilst there is an existing plant hire business located here, there is no overriding justification for the plant storage and workshop building to be located here, rather than on a more suitable site at the Whitby Business Park which is allocated for further such development. Having such facilities located there would not preclude the business from continuing to work with the apprentice training company the applicant refers to who is based in Scarborough.

In terms of landscape impact, whilst the site benefits from some hedge, bund and stone wall screening along western and southern boundaries, the building would be visible from wider vantage points and the building would be seen as sporadic development from these public viewpoints, such as the surrounding public highways and public rights of way.

### Conclusion

On the basis that the proposed building would constitute isolated and sporadic development in the open countryside which constitutes development uncharacteristic of the wider landscape of the National Park that would have adverse landscape impact and, refusal is recommended.

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

#### Refusal (No Amendments Requested/Departure from Development Plan)

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.