

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal and essential supporting documents must reach the Inspectorate within the appeal period. If your appeal and essential supporting documents are not received in time, we will not accept the appeal.

Appeal Reference: APP/W9500/W/22/3308341

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name

Mr Robert Childerhouse

Company/Group Name

Egton and Mulgrave Estates

Address

Estate Office
Mulgrave Castle
Lythe
WHITBY
North Yorkshire
YO21 3RJ

Phone number

Email

Preferred contact method

Email Post

B. AGENT DETAILS

Do you have an Agent acting on your behalf?

Yes No

Name

Ms Andrea Long

Company/Group Name

Compasspoint Planning and Rural Consultants

Address

The Old Vicarage Victoria Square
Lythe
WHITBY
YO21 3RW

Phone number

Email

Your reference

NYM/2021/0923/OU

Preferred contact method

Email Post

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	North York Moors National Park Authority		
LPA reference number	NYM/2021/0923/OU		
Date of the application	12/11/2021		
Did the LPA validate and register your application?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
Did the LPA issue a decision?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
Date of LPA's decision	13/04/2022		

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Does the appeal relate to an existing property?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Address	North east and east of The High Street Egton Whitby North Yorkshire Grid Ref Easting: 480917 Grid Ref Northing: 506584		
Is the appeal site within a Green Belt?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?	Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/>
If YES, please state below the revised wording			
Outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed-use industrial units with associated access at land north east and east of High Street, Egton			
Please attach a copy of the LPA's agreement to the change. <input checked="" type="checkbox"/> see 'Appeal Documents' section			
Area (in hectares) of the whole appeal site [e.g. 1234.56]	1.2 hectare(s)		
Does the proposal include demolition of non-listed buildings within a conservation area?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:			
1. Refused planning permission for the development.			<input checked="" type="checkbox"/>
2. Refused permission to vary or remove a condition(s).			<input type="checkbox"/>

- 3. Refused prior approval of permitted development rights.
- 4. Granted planning permission for the development subject to conditions to which you object.
- 5. Refused approval of the matters reserved under an outline planning permission.
- 6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
- 7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
- 8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.
- 9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

1. Written Representations

(a) Could the Inspector see the relevant parts of the appeal site sufficiently to judge the proposal from public land? Yes No

(b) Is it essential for the Inspector to enter the site to check measurements or other relevant facts? Yes No

2. Hearing

3. Inquiry

H. FULL STATEMENT OF CASE

[see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case? Yes No

[see 'Appeal Documents' section](#)

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes No

(b) Have you made a costs application with this appeal? Yes No

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach

it below.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

- (a) None of the land to which the appeal relates is, or is part of, an agricultural holding.
- (b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.
- (b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.
02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).
03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
- 05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.
06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
07. A copy of the design and access statement sent to the LPA (if required).
08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.
09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.
09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.
10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.
11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:
- (a) the relevant outline application;

- (b) all plans sent at outline application stage;
- (c) the original outline planning permission.
- 12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.
- 13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).
- 14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Date

Name

On behalf of

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:
<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>
- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the

address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	DESCRIPTION OF DEVELOPMENT
Document Description:	A copy of the LPA's agreement to the change.
File name:	NYM_2021_0923_OU.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	APPEAL UNDER SECTION 78 - Statement of Case - NYM_2021_0923_OU.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A separate list of appendices to accompany your full statement of case
File name:	List of Appendices to Full Statement of Case.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	NYM_2021_0923_OU - Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	NYM_2021_0923_OU Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	NYM_2021_0923_OU_ Site and Location Plans.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	NYM_2021_0923_OU - Amended Plans.pdf
File name:	NYM_2021_0923_OU_ Site and Location Plans.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.
File name:	NYM_2021_0923_OU -List of Documents Submitted with Application.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	NYM_2021_0923_OU - Amended Plans.pdf

Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	NYM_2021_0923_OU - List of additional Plans and Documents not part of the original application.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	NYM_2021_0923_OU - Design and Access Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	10. Any relevant correspondence with the LPA, including any supporting information submitted with your application in accordance with the list of local requirements.
File name:	NYM_2021_0923_OU - Additional correspondence from Agent.pdf
File name:	NYM_2021_0923_OU Agent Correspondence to be circulated at Committee.pdf
Completed by	MS ANDREA LONG
Date	05/10/2022 14:44:44

**APPEAL UNDER SECTION 78
OF THE TOWN AND COUNTRY PLANNING ACT 1990
AGAINST REFUSAL BY
NORTH YORK MOORS NATIONAL PARK AUTHORITY
OF PLANNING PERMISSION**

Statement of Case on behalf of Egton and Mulgrave Estates



MULGRAVE
— ESTATE —

**Outline application for construction of 9 no.
dwellings with associated accesses, parking
and amenity spaces together with public
car park and mixed-use industrial units with
associated access at land north-east and
east of High Street, Egton**

October 2022

LPA Ref: NYM/2021/0923/OU

Compass Point Planning & Rural Consultants

1. Introduction

- 1.1 My name is Andrea Long. I hold a degree in Environmental Planning, and I am a Chartered Member of the Royal Town Planning Institute. I have almost 30 years of town planning experience, including local authority, National Park Authority, and the private sector. I

established Compasspoint Planning in September 2017, following 24 years in the public sector, most recently at The Broads Authority, where I reached the position of Director of Planning and Resources responsible for managing the authority's planning function. Prior to the Broads Authority, I held planning positions at Breckland District Council, Mid Suffolk District Council and Suffolk County Council.

- 1.2 I have been instructed by the Egton and Mulgrave Estates to prepare and submit an appeal in respect of the North York Moors National Park Authority decision to refuse planning application NYM/2021/0923/OU for the construction of 9 no. dwellings with associated accesses, parking, and amenity spaces together with public car park and mixed-use industrial units with associated access at land north-east and east of High Street, Egton, North Yorkshire.
- 1.3 This Statement of Case fully sets out the Appellant's reasons for pursuing an appeal against the decision by the North York Moors National Park Authority to refuse planning application ref: NYM/2021/0923/OU/ on 13th April 2022 and validated on 1st December 2021.

2. Appeal Site and Surroundings

- 2.1 The application site is located within the village of Egton close to an area known as Egton Plantation, on land northeast and east of the High Street. The site is an irregular shape but broadly 'L' shaped. Immediately north of the site are two residential dwellings – Flushing Meadow and Abbotsford. These dwellings effectively mark the gateway to the village. East of the site is an agricultural field owned by Mulgrave Estate which is used for the Egton Show. South of the site are a number of buildings that comprise the Egton Garage and associated workshops, residential dwellings, and The Witching Post Public House. The proposed industrial units are located to the east (rear of the garage and outbuildings).
- 2.2 On the other side of the High Street to the west of the site is a Memorial which is unlisted and sits at the junction of High Street and the C84/1/80 that leads to Egton Flats. The memorial commemorates John Foster who died in 1910 and is the great, great grandfather of the current owner of the Egton Estate. The estate's tenants erected the memorial. North of the Memorial is an area of open grassland which is identified under Policy C05 of the Adopted Local Plan as a Community Space. North of the community space is an area of woodland, also identified in the Local Plan (as protected woodland) and to the north of that is the Recreation Ground (also identified as a Community Space in the Local Plan) which comprises sports pitches, tennis courts, play area and a pavilion. North of the recreation ground is a residential dwelling known as Moorfield. An additional residential dwelling is further west which is known as Linden Grove.
- 2.3 To the west of the Memorial is a terrace of affordable residential dwellings (10 in total) which were permitted in 2014. These mark the north-western edge of the built-up area of the settlement. The terrace is outside of the Conservation Area.
- 2.4 The proposed houses would be located fronting the highway (High Street) in a linear formation stretching between Flushing Meadow and the garage partially on an area owned by Egton Estate which is currently a tarmacked layby used for car parking. The remainder of the

housing site uses the frontage of the agricultural field located to the rear of the car park. The parking layby area has a low hedge and some ornamental shrubs and planting adjacent to the highway, and it also provides two access to the agricultural field to the east, both at the north and south extremes of the layby. The layby was formerly leased to Scarborough Borough Council for a car park, but the lease was surrendered by the tenant in February 2020. The field is owned by the Mulgrave Estate and is used for the annual one-day Egton Show.

- 2.4 The applicants met with the Egton Show committee to discuss the scheme prior to the submission of the application and all parties were keen to ensure that the show would continue to take place. It was resolved that either the show would continue to operate on the remaining part of the field, or it would be moved to another location. Subsequently an alternative location in the ownership of the Mulgrave Estate, which meets the operational needs of the show has been found should it be required.
- 2.6 The area to be used for a new village car park is located southeast of the proposed housing area. It will utilise the southern end of the agricultural field and will occupy the southern field boundary where it currently abuts the garage and workshops. There is an existing field access in this location.
- 2.7 The proposed industrial area is located to the rear of the current garage (east) and is owned by the Mulgrave Estate. A new access road will be created alongside the northern boundary of the garage to serve the industrial area, the car park and to allow for access to the field. The proposed area of industrial land is approximately 0.4ha and is currently a grassed area with a storage shed used for the Egton Show.
- 2.8 The application site in its entirety lies outside of the Conservation Area, although the adjacent garage lies within the Conservation Area and therefore the southern edge of the proposed housing area is adjacent to the Conservation Area.
- 2.9 The Conservation Area contains a mix of residential and commercial uses including the garage and the two pubs – The Witching Post and The Wheatsheaf - both are within 100m of the site. Materials in this part of the Conservation Area include stone with red pantiled or black slate roofs.
- 2.10 The site is not deemed to be at risk of flooding from rivers, surface water or reservoirs, as confirmed by the Government’s long-term flood risk assessment for locations in England at: <https://flood-map-for-planning.service.gov.uk/> and there were no objections to the proposal on the basis of floodrisk.
- 2.11 Egton village is a largely linear settlement, consisting of a long broad street (High Street), with development either side. There are two key junctions. One is Egton Lane running westwards; and the second is the road to Grosmont running eastwards off the High Street.

- 2.12 The village itself has a range of services and facilities including two public houses, the Wheatsheaf, and the Witching Post at the north end of the village, a village hall, surgery, garage, and primary school. It is served by public transport with regular buses and a railway station nearby at Egton Bridge, where there are a two further public houses, another school, and a shop. The population in 2011 was just under 450 people. Egton is designated as a 'Larger Village' in the Adopted North York Moors National Park Local Plan (2020) under Strategic Policy B – The Spatial Strategy.

3. Relevant Planning History

- 3.1 There is limited planning history within the red line of the application site but a number of historic planning applications in the vicinity. There are permissions for some storage sheds used in connection with the Egton Show that occupy part of the area proposed to be used for industrial purposes – the most recent being granted in 2005.
- 3.2 The garage site to the south and west of the application site has been the subject of a number of consents over the years, the most notable being a change of use from horticultural workshops to engineering/light industrial use in the 1980s. Consent was also given for the erection of a Pole Sign at the front of the garage adjacent to the highway in 1989.
- 3.3 The two dwellings to the north of the application site – Flushing Meadow and Abbotsford were constructed in the 1980s and a ground floor extension to Flushing Meadow was granted in 1991. Abbotsford had a reconfigured access in 2004. It is noted that the Chairman of Egton Parish Council lives at Flushing Meadow.
- 3.4 South of the application site there are other permissions associated with alterations to The Witching Post and the Wheatsheaf Public Houses granted over the last 20-30 years including conversion of outbuildings.
- 3.5 Further west of the application site is a terrace of affordable houses granted in 2014, these comprise 10 units and are a mix of two storey terraces with single storey bungalows at each end. These are located close to the key junction of the High Street and the C84/1/80 adjacent to the Memorial but set back from the highway with a greened area in front.
- 3.6 In 2020, the site was one of a number of sites in the village, tentatively put forward as potential sites for affordable housing. The response from the National Park at that time was that they were unable to provide site specific advice on the suitability of the site for development, until it has been established whether there was any housing need in the locality and an assessment of the village has been undertaken in terms of what other suitable (and possibly preferred) sites there are, and which might be available

4. Appeal proposal

- 4.1 The application is for the construction of 9 dwellings, the creation of a village car park and an area of industrial units.

- 4.2 The proposed housing element is to be considered under Policy CO.7 of the Adopted Local Plan July 2020 – ‘Housing in larger villages. All 9 dwellings are proposed to be Principal Residence Housing. This element is approximately 0.45 ha in size.
- 4.3 The application is made in outline with all matters except access reserved. However, the indicative layout shown on drawing no. 02-2021-1001 (and subsequent revision), indicates that it is comfortably possible for a layout to include a mix of detached and semi-detached dwellings in a linear pattern set back from but facing the road. The provision of mid- range sized housing of three bedrooms suitable for families can be accommodated. The layout of the dwellings shows them as being set back from the highway retaining the current planting scheme adjacent to the highway and making use of the existing layby arrangement with dwellings accessing directly onto a road within the site. There are no new accesses to be created for this element. The dwellings gardens would extend into the current agricultural field behind the layby and the existing boundary trees could easily be incorporated into the scheme as garden trees in rear or front gardens.
- 4.4 All properties have front and rear gardens and parking in the form of garaging and driveways. The eastern boundary of the site which would largely comprise rear gardens would mark the new boundary of the agricultural field.
- 4.5 Consideration has been given to best use of the land in terms of residential provision as well as the character of the area. The proposed site layout provides a reasonable amount of accommodation with good amenity space without reducing the level of amenity to other adjacent properties or the visual amenity of the area as a whole. Whilst the site lies outside of the Conservation Area, this site has the potential to provide a traditional range of dwellings that reflect the historic core of the village inside of the Conservation Area.
- 4.6 The properties are intended to be provide family accommodation of 3- bedrooms however as the application is made in principle this can be adjusted at details stage. The properties would be two storeys consistent with the majority of the adjacent development around the central part of the village, including the new housing development west of the memorial.
- 4.7 Vehicular access to the proposed housing will be via the two existing vehicular accesses located at the northern and southern tips of the existing layby parking area. The existing layby road will be used as an internal access road although it will not be a through route. Each dwelling will have its own private driveway access on to this internal road. Parking provision for the dwellings will be off road using driveways and garaging.
- 4.8 Pedestrian access from the dwellings to the rest of the village to the south will be via a new path which runs south from the southern-most dwelling to join up with the access road to the car park and mixed industrial area.

- 4.9 The Highway Authority initially expressed concerns in respect of the access arrangements specifically that the internal access road should not be a through route. The layout was later revised to address this issue and the Highway Authority then indicated they had no objections.

Village Car Park and Access Road

- 4.10 The application includes the proposal to create a new village car park located to the south-east of the proposed housing area. The car park could have approximately 40 parking spaces (including disabled spaces) and would be used by cars that would usually park in the layby. The car park would be accessed by using the existing access (which currently allows access to the field) directly south of the new housing area and would allow for access to the proposed industrial area to the rear of the existing garage/workshop as well as a new agricultural access to the field within the application site. The car park would use a portion of the agricultural field and is approximately 992m². The access road to the car park also allows for separate pedestrian access allowing for access from the car park to village services and facilities and to and from the proposed industrial area.
- 4.11 The car park could be used by visitors (including walkers) who tend to use the current layby parking, local residents who may wish to park off street, visitors, and customers of the two public houses and the garage and employees and visitors of the proposed industrial units. It can also be used for disabled parking for Egton Show days. The current parking in the layby is conditional and by permission of the Egton Estate.
- 4.12 By creating a specific village car park that is set back from the highway, there is the potential to reduce the current level of informal on street parking and verge parking that takes place within the Conservation Area, with an overall visual benefit to the wider views and setting of the Conservation Area. The proposed car park would be formally set out and landscaped to match the existing landscaping arrangement for the current layby car park, to enable its assimilation into the landscape and edge of Conservation Area location

Pumping Station.

- 4.13 A new pumping station is to be provided between the new car park and the proposed housing. This would also be accessed via the access road which serves the car park and the proposed industrial area.

Industrial Units

- 4.14 The application provides for a new area of industrial units to the rear of the current garage/workshop site. The area reserved for this use is approximately 0.4ha and is currently unused grassland and storage areas connected to the Egton Show. Access to the industrial area would be via the new access road but using the existing highway access.

4.15 As the application is in outline there are no specific units proposed although the proposed uses would be largely those that were formerly B1 Light Industrial (and are now E (g) Uses which can be carried out in a residential area without detriment to its amenity:

- **E(g)(i)** Offices to carry out any operational or administrative functions,
- **E(g)(ii)** Research and development of products or processes
- **E(g)(iii)** Industrial processes

In addition there could be potentially some B2 general industrial which is consistent with the garage and workshop uses already operating in this location. In addition there could also be some office and storage uses. Parking provision can be made on site for deliveries and some employees, however there is also the potential to utilise the proposed nearby village car park. As the application is in outline there are no specific unit sizes shown on the plans.

4.16 Although the application does not contain details of the dimensions and layout of the mixed industrial area, there is sufficient room to accommodate and number of units with a central area for parking and turning including for deliveries and visitors. The adjacent village car park can also be used for either visitor or employee parking as required.

4.17 Access to the area proposed for mixed industrial uses is via an existing highway access and the new access road.

5. Planning Policy Context

5.1 Local Development Plan

5.1.1 The relevant Local Development Plan for the area is the North York Moors Local Plan Adopted in July 2020. The most relevant policies are as follows:

Strategic Policy A - Achieving National Park Purposes and Sustainable Development.

5.1.2 This strategic policy takes a positive approach to new development in line with the presumption in favour of sustainable development. It seeks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Development is allowed that:

- a) Is of a high-quality design and scale which respects and reinforces the character of the local landscape and the built and historic environment.
- b) Supports the function and vitality of communities by providing appropriate and accessible development to help meet local need for housing or services, facilities, energy, or employment opportunities.
- c) Protects or enhances natural capital and the ecosystem services they provide.
- d) Maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species.
- e) Builds resilience to climate change through adaptation to and mitigation of its effects.
- f) Makes sustainable use of resources, including using previously developed

land wherever possible; and

g) Does not reduce the quality of soil, air, and water in and around the National Park.

Strategic Policy B –The Spatial Strategy.

5.1.3 Egton is designated as a 'larger village' in the spatial strategy. The strategy allows for development which supports the service function of Larger Villages by providing additional housing (including principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality.

Strategic Policy C - Quality and Design of Development.

5.1.4 This strategic policy allows development where proposals are of a high-quality design that will make a positive contribution to the local environment in accordance with the principles set out in the NYMNP Authority Design Guide.

- the proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the local area and/or that of the local vernacular.
- the siting, orientation, layout, and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality.
- the scale, height, massing, and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.
- sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources.
- a good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity, and makes use of appropriate native species forms an integral part of the proposal.
- Proposals to enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts.
- Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way.
- and the proposal ensures the creation of an accessible, safe, and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.

Strategic Policy G – The Landscape.

5.1.5 This strategic policy seeks to protect the high quality, diverse and distinctive landscapes of the North York Moors. Great weight will be given to landscape considerations in planning decisions and development will be supported where the location, scale and detailed design of the scheme respects and enhances the local landscape character type as defined in the North York Moors Landscape Assessment.

Policy ENV9 – Historic Landscape Assets

5.1.6 This policy seek to ensure that historic landscape assets such as ridge and furrow are preserved. When preservation is not justified adequate provision for recording and analysis in advance of the development, secured through an approved Written Scheme of Investigation.

Strategic Policy I - The Historic Environment

5.1.7 This policy seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy ENV11 – Historic Settlements and Built Heritage

5.1.8 This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park

Strategic Policy K – Rural Economy

5.1.9 This strategic policy seeks to broaden and diversify the economy of the National Park. The policy supports proposals that would allow existing businesses to diversify and expand, where they may increase or broaden job opportunities and where they may support small, micro or start-up industries. Access to a range of high quality and long-term employment opportunities is a key factor in encouraging young people to stay in the area and help maintain sustainable rural communities. The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes and will encourage and promote opportunities for appropriate new employment, training and enterprise in the National Park as well as supporting the continued viability of the agriculture and tourism sectors.

Policy BL1 – Employment and Training Development

5.1.10 This policy sets out that development of new employment facilities will only be permitted within the main built-up areas of 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. It goes on to state that all proposals 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.

Policy CO2 – Highways.

5.1.11 This development management policy allows development where:

- It is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.
- the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids.
- and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area,
- the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

5.1.12 It should be noted that the Highway Authority is not objecting to the revised layout.

Policy CO3 - Car Parks

5.1.13 This Development Management Policy allows for new parking provision subject to criteria which include, alleviating existing parking problems, benefitting residents and visitors to the National Park and where the design, siting and layout do not have a detrimental impact upon natural beauty, wildlife, or cultural heritage.

Strategic Policy M – Housing.

5.1.14 This strategic policy seeks to meet the needs of local communities by enabling a minimum of 551 new homes (29 per year) to be completed over the plan period. These homes will be delivered through the development of sites allocated in the Helmsley Local Plan and in, 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 Plans approved by the National Park Authority. Schemes will be expected to meet the need for smaller dwellings and all proposals should be of a high-quality design and construction to ensure that the character and distinctiveness of the built environment and local landscape are maintained.

Policy CO7 - Housing in Larger Villages.

5.1.11 This development management policy allows development of principal residence and affordable housing on suitable small sites within the main built-up area of the village.

5.2 Other material considerations

NPPF

5.2.1 The NPPF is a material consideration with considerable weight. The relevant national planning policies are set out in the National Planning Policy Framework (NPPF) revised in July 2021. Paragraph 7-8 of the NPPF, the Government underlines its commitment to sustainable development and states that:

“The purpose of the planning system is to contribute to the achievement of sustainable development...achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways:

- *an economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation, and improved productivity, and by identifying and coordinating the provision of infrastructure.*
- *a social objective– to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible local services and open spaces that reflect current and future needs and support communities’ needs health, social and cultural well-being.*
- *an environmental objective – to contribute to protecting and enhancing our natural, built, and historic environment; including making effective use of land, improving biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.”*

5.2.2 In addition, paragraphs 81-85 of the framework indicate that planning decisions should help create the conditions in which business can invest, expand, and adapt. Paragraph 85 recognises that meeting local business and community needs in rural area may have to be found adjacent to or beyond existing settlements and in locations not well served by public transport.

5.2.3 To promote sustainable development in rural areas, paragraph 79 of the framework indicates that housing should be located where it will enhance the vitality and viability of rural communities. In addition is recognises that housing in one village may support services in a nearby village.

6. Reasons for refusal

6.1 According to the decision notice issued on 13th April 2022, the application was refused for the following reasons:

1. The site is considered to lie outside of the main built-up part of the settlement of Egton and does not constitute a suitable small site as defined by Strategic Policy M and Policy CO7 of the North York Moors Local Plan in that the site is not located within the main built-up part of the village and does not fit in with the existing pattern of the settlement. If permitted, this development would represent harmful sporadic development and extend outwards the main built-up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park.
2. The site proposed for industrial units is considered to lie outside of the main built-up part of the settlement of Egton and does not comprise the re-use of or small extension to an existing building. Furthermore it has not been demonstrated that the proposed industrial units would not result in noise disturbance that would be detrimental to the amenities of occupiers of existing or proposed residential properties. If permitted this proposal would be of a scale and in a location that would have a detrimental impact on the character of the locality and residential amenity contrary to Policy BL1 of the NYM Local Plan.
3. The site of the proposed car park is on agricultural land outside the main built up part of the settlement and would have a detrimental impact on the character of the locality. Furthermore, there is no adequate justification that the proposed car park would meet an identified need or benefit both the community and visitors to the National Park. The proposal would therefore be contrary to Policy CO3 of the NYM Local Plan.
4. The proposal development would be located on the edge of the Egton Conservation Area in an area which contributes positively to its historical values and would go beyond the development limits of the village, negatively impacting the existing archaeology evident on the HER and LiDAR. Furthermore the proposed design/layout of the housing, including features such as parking to the front, would not follow the form and grain of Egton, and would be very suburban in design, out of character with the locality. The proposal is therefore not suitable for such a prominent site in a North York Moors village, particularly given that it is also the gateway to a conservation area and its development would be to the detriment of the conservation area, contrary to NYM Local Plan Strategic Policy I and Policy ENV11.
5. If approved, the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a significant threat to the character, special qualities, and distinctiveness of the more rural settlements of the National Park and therefore have a detrimental impact the wider landscape of the Park, contrary to the aims of Strategic Policy B of the North York Moors Local Plan.

7. Applicant's Statement of Case and Response to Reasons for Refusal.

- 7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004), requires the proposed development to be judged against the Development Plan Policies in the first instance; and planning decisions made on the basis of its compliance with the Development Plan Policies, taking into account material planning considerations, and applying the planning balance of the schemes impacts against the positive benefits that will be derived. It is noted that the proposal is compliant with a number of the policies in the Adopted Local Plan and that those which the National Park believe that it fails to comply with are only those set out in the reasons for refusal.

Reason for refusal 1 – Compliance with Housing Policies – Strategic Policy M and CO7.

Grounds for Appeal 1:

Matters not in Dispute:

- 7.2 That Egton is defined as a Large Village in the Local Plan capable of accommodating new Principal Residence Housing

Response

- 7.3 the applicants consider the housing element to be in conformity with Development Management Policy CO7 in that it proposes small scale Principal Residence housing on a suitable, partially brownfield small site in the built-up area of a defined Larger Village. The proposal is for nine dwellings and the NPPF defines major development as over 10 dwellings. The fact that housing applied for is for principal residence housing deals with a number of the issues raised by local people who are concerned about the potential for second homes or holiday lets. The existing car park area is a brownfield site (previous use as a car park), and the landowner (Egton Estate) pays non-domestic rates on it. The proposal is located within the main settlement part of Egton which is the area stretching from the recreation ground and two dwellings in the north to the school in the south. The proposal is not within an outlying hamlet or lower order settlement such as Egton Bridge.
- 7.4 The policy requires new housing sites to be within the main built-up areas of the village. The policy itself does not state a number of dwellings and further detail is provided in the supporting text only. There is a difference between the weight to be applied to development plan policy and that applied to supporting text when determining application i.e., supporting text carries less weight as set out in the court judgements below:

R (Cherkley Campaign Ltd) v Mole Valley DC and another [2014] EWCA Civ 567

“16...the supporting text consists of *descriptive and explanatory matter* in respect of the policies and/or a *reasoned justification* of the policies. That text is plainly relevant to the interpretation of a policy to which it relates but it is not itself a policy or part of a policy, it does not have the force of policy and it cannot trump the policy....”

Chichester District Council v Secretary of State for Housing, Communities and Local Government Queen’s Bench Division [2018] EWHC 2386 (Admin).

“56. The distinction between the “policies” set out in the NP and its “aims” is, in my judgment, in principle a rational one. Mr Williams and Mr Garvey referred me to decision of the Court of Appeal in *R(Cherkley Campaign Ltd) v Mole Valley DC and another [2014] EWCA Civ 567* .

There, the Court of Appeal distinguished between the “policies” and the supporting text. The latter might be relevant to the interpretation of the “policies” contained in a development plan but whether a proposal conformed with, or conflicted with, the plan was to be determined by reference to the policies it sets out.”

- 7.5 The supporting text to Policy uses a figure of 5 and states ‘generally be sites capable of accommodating no more than 5 dwellings’ and for proposals to be well related, (para 7.31), to the form and grain of the existing surrounding residential development and should make efficient use of the available space. Paragraph 3.12 of the Local Plan indicates that no development boundaries or limits are defined and the suitability of a site for development will be defined on a case-by-case basis. This approach thereby introducing a level of subjectivity

and possible inconsistency in relation to the implementation of this policy and lacks the clarity and certainty that a development boundary provides.

- 7.6 Policy CO7 does not define suitable sites, and this is left to the supporting text at paragraphs 7.32 and 7.33 which states that ' Suitable small sites may not always be a gap within a continuously built- up frontage but they will always fit in with the existing pattern of the settlement'. This proposal which is a gap within an otherwise built-up frontage and does fit in with the existing pattern of development which is linear, largely road frontage, facing and single plot in width. The supporting text also states: 'It is not intended to allow consolidation of sporadic outlying development or to allow villages to expand into open countryside.' The proposal does not involve the consolidation of sporadic outlying development, nor is it located within a distinctively separate hamlet some distance removed from the main core of the village.
- 7.7 Paragraph 7.33 of the Local Plan also states that 'Where settlements contain a number of built-up areas it is intended that the housing policies will apply solely to the central main built-up part of the settlement'. This proposal is located within the main core part of Egton and not located within a separate part of the built-up area. The built form of Egton (excluding Egton Bridge) is contained in a single main cluster based on the junction, stretching, north-south in linear form and includes the application site. The proposed housing forms logical infill on a largely brownfield site between the Garage site and Flushing Meadow and Abbotsford to the north and follows the prevailing linear pattern of development within the village. Abbotsford and Flushing Meadow together with the Recreation Ground on the west side of the C82 mark the limit of the settlement of Egton, further reinforced by the 30mph speed limit sign which is located close to the driveway of Abbotsford.
- 7.8 The Local Plan supports the provision of a range of types of housing. The application is for principal residence dwellings which is consistent with the plan's policies and although it is made in outline the indicative layout shows how semi-detached and detached 3-bedroom dwellings could be accommodated on the site, which is consistent with the Local Plan's aim of providing dwellings for smaller households. The housing element of the proposal is therefore in accordance with the adopted Local Plan and therefore this reason for refusal is unsubstantiated .

Reason for Refusal 2 – Compliance with Policy BL1

Grounds for Appeal 2:

Matters not in Dispute:

- 7.9 That Egton is defined as a Large Village in the Local Plan where the aim is to have a flexible approach to new housing that will help stem population decline and support the vitality of the local economy and services in these communities .

Main Issues

- 7.10 Location of the proposal in relation to the built-up area of the village and amenity impacts on adjoining occupiers.

Response

- 7.11 As referred to above, the application provides for a comprehensive sustainable development comprising three elements – housing, car park and industrial units. Strategic Policy B of the Adopted Local Plan states that ‘Development should support the service function of Larger Villages by providing ... employment and training premises and new facilities and services for the immediate and wider locality’ This proposal provides for employment opportunities in a larger village – Egton - and therefore is wholly, compliant with this policy.
- 7.12 Policy BL1 of the Local Plan supports the development of new employment facilities within the main built-up areas of the larger villages. The proposal is located in Egton which is identified as a larger village in the settlement hierarchy and the proposed employment area forms a logical extension to an existing employment area. The proposal is of a scale commensurate with the scale of the village . The proposal is still in outline and therefore there are no specific buildings proposed for the mixed industrial area. However, the mix most likely to be used would be a range of sized buildings to be used for a mix of light industrial, office and industrial use with some small-scale storage and distribution and would fall within the Use Class E (g) which specifically covers uses that can be carried out in a residential area without detriment to the amenity of the area. It is also noted that there are a range of other uses in this location including the garage site, the use of which does not fall within Class E (g). In addition, the proposed area for employment uses can be safely accessed from the existing road network and therefore complies with the requirements of this policy.
- 7.12 Both the Egton and Mulgrave Estates are regularly approached by new businesses and existing businesses in the area who are seeking to expand or require new premises. Both have records of the approaches that they have received, and the applicants offered to make these available to the National Park Officers (subject to confirmation around data protection issues). Whilst there are businesses which happily occupy traditional farm buildings, they are not suitable for all and therefore the investment in new buildings by the Estates, such as that presented by this proposal is wholly consistent with Strategic Policy K which seeks to broaden and diversify the economy of the National Park. The policy supports proposals that would allow existing businesses to diversify and expand, where they may increase or broaden job opportunities and where they may support small, micro or start-up industries. Access to a range of high quality and long-term employment opportunities is a key factor in encouraging young people to stay in the area and help maintain sustainable rural communities. The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes and will encourage and promote opportunities for appropriate new employment, training and enterprise in the National Park as well as supporting the continued viability of the agriculture and tourism sectors.

Reason for Refusal 3 – Compliance with Policy CO3

Grounds for Appeal 3:

Main Issues

- 7.13 Location and need for the car park.

Response

- 7.14 There is a clear parking problem in this part of Egton. Despite the presence of the existing car park, cars and other vehicles are regularly parked on street at the entrance to and within the Conservation Area. Vehicles consistently park (see photographs in Appendix A) outside of the garage, opposite the garage on street or against the green verge, further down the High Street

and also at and close to the highway junctions. The parking represents a visual clutter both at the entrance to and within the Conservation Area as well as highway safety hazards and visibility issue for traffic turning and manoeuvring in this part of the village.

- 7.15 the appellants consider the proposal to be in conformity with development management policy CO3. The proposal relocates an existing car park and increases its capacity. The car park is relocated to a less visually prominent position, still outside of the Conservation Area. The existing car park is outside of the Conservation Area but immediately adjacent to it in a prominent location in the centre of the village. The additional capacity provided will enable cars currently parked around the current garage site or on street or on green verge within the Conservation Area to be relocated to a more discreet location and result in a visual improvement to the Conservation Area.
- 7.16 The car park will be for the benefit of local residents, visitors including those needing a base from which to begin their walk and for visitors and employees to the proposed industrial units. The existing car park already fulfils this function and will continue to do so in its new location. Although the proposed new location is not a brownfield site, the proposal is essentially the relocation of an existing car park with additional capacity rather than creating a wholly new car park . There are no other suitable sites in this part of Egton that could accommodate a relocated car park. Other options such as using part of the main green, the adjacent area identified as Community Space or the nearby protected woodland would result in a greater visual impact on the edge of the Conservation Area and/or loss of habitat, trees, or green space. Other alternatives would require the introduction of further parking within the Conservation Area itself.
- 7.17 The existing car park is already well used by visitors, local people and by some commercial vehicles. However despite this use, vehicles are still parked consistently adjacent to the garage, on the opposite side of the garage, at the side of the green and at the road junction of the High Street. The new car park includes capacity to accommodate these additional vehicles.

Reason for Refusal 4 – Compliance with Strategic Policy I and Policy ENV11

Grounds for Appeal 4:

Main Issues

- 7.18 Impact of the proposal on the Conservation Area

Response

- 7.19 The proposal in its entirety is located outside of the Conservation Area. The National Park maintains that the proposed development would go beyond the development limits of the village but overlooks that there is development north of the Conservation Area edge in the form of the car park, the recreation area and the two dwellings known as Flushing Meadow and Abbotsford. The policy requires new housing sites to be within the main built-up areas of

the village and for proposals to be well related to the form and grain of the existing surrounding residential development and should make efficient use of the available space. The proposed housing forms logical infill on a partly brownfield site between the Garage site and Flushing Meadow and Abbotsford to the north and follows the prevailing linear pattern of development within the village. Abbotsford and Flushing Meadow together with the Recreation Ground on the west side of the C82 mark the limit of the settlement of Egton, further reinforced by the 30mph speed limit sign which is located close to the driveway of Abbotsford.

- 7.20 The National Park also considers that development would negatively impact on the existing archaeology evident on the HER and LiDAR. This issue however can easily be dealt with by way of a condition that would require the recording of archaeological features in this location and therefore is not necessary to be included within a reason for refusing the application.
- 7.21 The National Park considers that housing, including features such as parking to the front, would not follow the form and grain of Egton, and would be very suburban in design, out of character with the locality. This statement overlooks the fact that a considerable amount of the historic core of the village within the Conservation Area, does not have any designated parking and that parking occurs on street and therefore in front of properties in highly visible and prominent locations which are to the detriment of the Conservation Area. The application is made in outline and therefore at detailed stage it would be possible for a detailed layout to consider the potential for more discreet on plot parking to overcome or mitigate these issues.
- 7.22 Furthermore, this reason for refusal fails to acknowledge the most recent development within Egton which is the terrace of affordable housing which itself is located just outside of the Conservation Area but when entering the village from the north is one of the most prominent views when entering the village and visible from the 30mph speed limit sign adjacent to Abbotsford.
- 7.23 The proposed car park does not have any natural beauty or wildlife impacts and in terms of cultural heritage it can be argued that the opportunity to relocate the car park from its current prominent location adjacent to the Conservation Area to a more discreet location presents a heritage benefit and improvement to the edge of the Conservation Area. The additional capacity which allows for the opportunity for cars parked in other visible location within the Conservation Area to be accommodated in less visible locations presenting further benefit to heritage.

Reason for Refusal 5 – Precedent and cumulative impact

Grounds for Appeal 5 :

Main Issues

- 7.24 If approved, the proposal would make it increasingly difficult for the National Park Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a major threat to the character, special qualities, and distinctiveness of the more rural settlements of the National Park.

Response:

- 7.25 This reason for refusal fails to acknowledge one of the established key principles of town and county planning in the UK, including section 38(6), i.e. "...that each case should be considered on its own merits". By suggesting that by permitting this scheme, the National Park Authority, would find it difficult to resist future housing on similar sites and that it would lead to the Park's character, special qualities and distinctiveness being threatened is totally unfounded. Any future applications would be subject to the same section 38(6) exercise, i.e. considered on its own merits.
- 7.26 Furthermore this reason for refusal appears even more perverse given that Paragraph 3.12 of the Local Plan specifically justifies the lack of definition of development boundaries or limits in larger villages by stating that "the suitability of a site for development will be defined on a case-by-case basis." The reason for refusal is in direct conflict with the Local Plan which sets out that the approach that will be taken to determine the suitability of a site will be an individual judgment made on individual applications.
- 7.27 This reason for refusal is a 'makeweight' and as described above, the application site is not considered an inappropriate site and would not result in an adverse impact on the character, special qualities, and distinctiveness of the more rural settlements of the National Park

NPPF July 2021

- 7.28 Paragraph 11 of the framework confirms its objective of achieving sustainable development and that decisions on planning applications that accords with the Development Plan should be approved without delay.
- 7.29 The proposed development is in conformity with this part of the revised NPPF. The application, as demonstrated in the previous section, confirms that the scheme would contribute to achieving sustainable development (it provides social and economic benefits) and is in conformity with the Development Plan. Paragraph 47 confirms that applications for planning permission must be made in accordance with the Development Plan unless material considerations indicate otherwise. It also requires the planning authority to approve development that accords with the Development Plan without delay. The proposed development is in conformity with this part of the revised NPPF. The application, as demonstrated in the previous section, is in conformity with the Development Plan.
- 7.30 Paragraphs 60-80 of the framework set out the Government's intention to boost housing supply. Housing should be considered in the context of the presumption in favour of sustainable development. The planning authority should positively seek opportunities to meet the development needs of their area, and development in rural areas to help enhance or maintain the vitality of rural areas. The proposed development is in conformity with this part of the revised NPPF and the proposal will contribute to the local supply of housing.
- 7.31 Paragraphs 81-85 of the framework indicate that planning decisions should help create the conditions in which business can invest, expand, and adapt. The application proposes mixed industrial units in a village identified as a Larger Village in the settlement hierarchy and

provides the opportunity for job creation and a better balance between jobs and housing in the village. The proposal is consistent with paragraph 84 of the framework which supports the sustainable expansion and growth of all types of business in rural areas and paragraph 85 which recognises that sites to meet local business needs may be found adjacent or beyond existing settlements. The proposed industrial units are located immediately adjacent to existing commercial units in the main built-up part of the village. Units in this location would not have an unacceptable impact upon local roads (there is easy access to the A174 Whitby to Teesside Road) from this end of the village.

- 7.32 Paragraphs 104-111 seek to ensure movement is minimised and sustainable transport modes maximised. Parking should take account of accessibility, type and mix of development, opportunity for public transport and local car ownership levels. Proposals should not have an unacceptable impact on highway safety. The proposed development is in conformity with this part of the revised NPPF. The site is located within walking distance of a range of services and facilities. It is also close to public transport facilities.
- 7.33 Paragraphs 119-126 seek to ensure the efficient use of land and appropriate densities. The proposed development is in conformity with this part of the revised NPPF. The scheme's density reflects the area's prevailing character and setting, which is characterised by linear frontage development or a single plot depth. The housing element also makes use of a brownfield site. The above demonstrates that the scheme is in conformity with the Development Plan. The Local Plan supports small scale principal residence housing in Larger Villages which includes Egton. The scheme will provide social and economic benefits including adding to the housing stock providing appropriate and accessible development, which will help meet the Park's need for principal residence housing and once built, the new residents will help to support the function and vitality of Egton and its services and facilities.
- 7.34 The proposal will not result in significant environmental impacts or the loss of important ecosystems or natural capital. It provides scope for a net gain in biodiversity through conditioning any consent to require new boundary planting to use native species, and installation of bird and bat roost boxes.
- 7.35 Due to the benefits derived from the proposed development, and the lack of any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Development Plan Policy and relevant material considerations, including the revised NPPF as a whole, the scheme can be considered sustainable development.

8 Conclusion

- 8.1 This full Statement of Case demonstrates that there is a robust case for the proposed development. It also shows that the National Park Authority's reasons for refusal cannot be justified and to some extent are unsubstantiated and there are no other reasons to refuse the proposed development.

8.2 This is because the application in its entirety is consistent with the policies of the NYMNPA Local Plan and the NPPF Revised in July 2021. The application should therefore be permitted for the following reasons:

- The proposal is considered to be a suitable site within the main built-up area of a defined Larger Village, which would not represent harmful sporadic development, nor would it extend outwards the main built-up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park.
- The proposed industrial area lies within the main built-up part of the settlement of Egton and would not result in noise disturbance that would be detrimental to the amenities of occupiers of existing or proposed residential properties. The proposed use class for this part of the proposal is specified as Use Class E (g) i, ii, and iii which includes uses that can be carried out in any residential area without causing detriment to the amenity of the area.
- The proposed car park would not have a detrimental impact on the character of the locality and through relocating and expanding the capacity of the existing car park would benefit both the community and visitors to the National Park and address the current on street parking issues at the entrance to the Conservation Area.
- The proposal does not go beyond the development limits of the village because there is no development to the north, nor would it negatively impact upon the existing archaeology evident on the HER and LiDAR as this can satisfactorily be dealt with by way of a suitable condition. The application is made in outline with all matters except for access reserved for a future application and therefore the proposed design/layout of the housing would be addressed by another application

The approval of this scheme would not undermine the ability of the Authority to resist future applications for new housing on inappropriate sites. The Planning Act provides for all schemes to be considered and determined on their merits.

8.3 Furthermore:

- the proposed housing element comprises principal residence housing, for small units, on a brown field site within a village identified as a Larger Village in the Local Plan settlement hierarchy
- The pattern and form of the proposed housing is consistent with the linear pattern of development prevailing in the village, makes use of a brown field site between existing development (the garage and the two dwellings known as Abbotsford and Flushing Meadow)
- The proposed housing is immediately adjacent to local facilities such as the recreation ground, pavilion, the garage, workshops, and two public houses, which can be easily and readily accessed on foot using safe footway connections.
- The application provides for a relocated village carpark with expanded capacity which can accommodate cars that are regularly parked at the garage site, in the highway or on verges.
- The implications of removing the visual clutter of existing car parking from a visually prominent location has benefits for heritage in terms of the character and appearance of the Conservation Area.

- The car park element of the proposal provides safe crossing and footway access from the car park to village facilities for pedestrians
- Both visitors and local people can use the car park.
- The mixed industrial units provide opportunities for existing local businesses to expand and for new businesses to start up
- The industrial units will create jobs which may be suitable for local people who will be able to access employment sustainably without the need to use the private car.
- The industrial units provide the opportunity to broaden the economic base of the village
- There are no significant landscape, nature conservation or cultural heritage impacts.
- There are no new highway accesses created
- The Egton Show can continue in the agricultural field or on a new site
- The proposal provides for agricultural access to the field
- The proposal provides for economic, social, and environmental benefits through the provision of new housing and jobs for local people together with an environmental enhancement of the Conservation Area through the removal of large areas of car parking to a more discreet location

8.2 Given the above, the Inspector is respectfully invited to uphold this appeal and grant the planning consent, subject to any conditions deemed appropriate

Appendix A - Site and surroundings – Photographs.



View from southwestern corner of site looking west towards the memorial and woodland



View west from the southwestern corner of the site



View from proposed housing site (northern end of the layby) looking west



View west from layby looking towards recreation area



Northern entrance to the layby looking north



Northern entrance to layby looking south – note affordable housing on edge of Conservation Area is visible.



View from layby looking north towards Flushing Meadow



View from southern end of layby looking south



From

High Street looking north



Outside the garage



Layby parking (note two lines of cars) – looking north



From High Street looking north towards the site with garage in the foreground (orange van is parked)



Looking south along High Street – note parking to front of properties



Looking south towards village centre

Photographs taken by applicant on 5th April 2022 to illustrate parking issues



Vehicle parking at the junction near the garage looking south



Vehicle parking close to application site entrance, looking south



Vehicle parking close to garage, looking north



Vehicle parking close to application site entrance



Vehicle parking at the garage, note industrial unit to the rear.



Vehicle parking at road junction opposite the garage.



On street vehicle parking in the High Street



Vehicles parked on street at junction



Vehicle parking in High Street – including on street and on grass verge



Vehicles parked on street in High Street

**NORTH YORKSHIRE COUNTY COUNCIL
BUSINESS and ENVIRONMENTAL SERVICES**

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION-
ADDITIONAL/AMENDED INFORMATION**

Application No: **NYM21/0923/OU**

Proposed Development: outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access

Location: Land north east and east of High Street, Egton

Applicant: Egton and Mulgrave Estates

CH Ref: **Case Officer:** Ged Lyth

Area Ref: 4/32/267 **Tel:**

County Road No: **E-mail:**

To: North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
YO62 5BP

Date: 6 April 2022

FAO: Hilary Saunders

Copies to:



Note to the Planning Officer:

The Local Highway Authority has received further information since the issue of the recommendation dated 17/12/21 in the form of a revised plan, drawing number 02-2021-1001 Rev D

It is thus recommended that

The Local Highway Authority still has concerns about the layout which would need alterations to meet an acceptable design. Some of these alterations are easier than others to achieve and some will have bigger implications than others on the remainder of the site.

1. Visibility splays required for the three proposed accesses. 45 metres has been used as the dimension for the length of traffic that a driver needs to be able to see oncoming traffic. This is adequate but the 2 metres from where the driver would be located does not appear to be taken into account for the northern most access. This would require alterations to the hedges south of the access and confirmation that the hedges, north of here allow this, especially as these are not within the applicants control.

2. The turning areas for the two shared drives go all the way to the kerbline on the main road, Egton Lane which has the potential that vehicles would overhang into the main highway. Measures to prevent this would be required but this has the potential to have a knock on effect of moving the

**LOCAL HIGHWAY AUTHORITY
CONSIDERATIONS and RECOMMENDATION**

Continuation sheet:

Application No:

NYM21/0923/OU



turning head SE which has the potential to move the drives of plots 3 and 4 and the line of the buildings.

3. This area of Egton does not have publicly maintainable footways at the sides of the road but it does have privately maintainable wide verges which have the potential in the future to be adopted by the highway authority and footways installed for highway safety reasons. Therefore, a 2 metre wide minimum grass verge would be recommended along the whole length of the site.

4. As the proposed car park is proposed to be used by the public, the road leading to it should be constructed up to adoptable standards and as it is leading into the industrial units, it should be up to industrial estate standards. Details of the size of vehicles likely to use the units would aid the LHA into evaluating whether the layout is appropriate.

<p>Signed:</p> <p style="text-align: center;"><i>Ged Lyth</i></p> <p><i>For Corporate Director for Business and Environmental Services</i></p>	<p>Issued by: Whitby Highways Office Discovery Way Whitby North Yorkshire YO22 4PZ</p> <p>e-mail:</p>
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Date: 21st January 2022

Planning Department

North York Moors National Park Authority
The Old Vicarage,
Bondgate
Helmsley,
North Yorkshire,
YO62 5BP

Your ref: NYM/2021/0923/OU
Our ref: 11/21/Joint Egton Scheme

Dear Mrs Saunders,

Outline application for construction of 9no dwellings with associated accesses, parking, and amenity space together with public car park and mixed-use industrial units with associated access at land north-east and east of High Street, Egton

I write with reference to your letter dated 6th January 2022, in connection with the above. Thank you for the update on the progress of the application and your summary of consultation responses received to date.

I have consulted my clients on the content of your letter, and we have collectively considered it in detail. We can confirm that it is **not** the intention to withdraw the application and it is considered that a number of the concerns raised in your letter (and through consultation responses) can be satisfactorily addressed through clarification of either detail or facts or through closer scrutiny of the Planning, Design and Access Statement. We also believe that rather than considering the proposal as a balanced sustainable proposal, too much weight has been placed on the individual elements in isolation rather than giving weight to the benefits derived from the scheme as a whole.

You indicate in your letter that there are three main reasons why you would consider a recommendation for refusal. These can be summarised as:

- Principle of development in this location (Policies CO7 and BL1)
- Inadequate justification for proposed car park (Policy CO3)
- The inability of the Egton Show to continue (Policy L and UE3)

I will address the points in reverse order:

Egton Show

Many of the local objections submitted in respect of this application assume that the Egton Show will not continue. This is simply not true.

There has been considerable discussion between the applicants and the Egton Show committee prior to the application being submitted (para 1.5 of the Design and Access Statement refers) and it has never been the case that the show would not be able to continue. Furthermore, discussions are ongoing with the Show Committee. Despite considerable numbers of objections from local people citing the loss of the Egton Show as a reason for refusal you will note that there is not an objection from the Egton Show Committee.

This is because the Egton Show Committee have found an alternative site to host the show, which they had been considering for some time, which they believe is better for them from an operational management and health and safety perspective. This aside the application only proposes to use a small portion of the show ground and the Show could still continue on the existing site with some reconfiguration. Nevertheless, the preferred option of the Egton Show Committee is to move to an alternative site and the applicants are supporting them in this. I would draw your attention to a recent newspaper article in which the Show Secretary, Daphne Jackson is interviewed and is not objecting to the application.

<https://www.thescarboroughnews.co.uk/news/people/egton-show-near-whitby-on-lookout-for-new-venue-as-housing-and-car-park-lined-up-for-showfield-3525593?fbclid=IwAR2vlqFU8WLhRWAU4uSph917rrR4nzzyPHHc9nChVGfVik9tmwCN1WjdF88>

It is anticipated that a member of the Show Committee will make a representation on the application to clarify the position and hopefully reassure local residents.

Your letter indicates that you would recommend refusal for the application on the basis of the loss of the Show under Policies UE3 and L which seek to resist the loss of existing tourism and recreation facilities and existing community facilities. We are not sure how familiar you are with the Egton show but it takes place for 1 day per annum (plus a few days to set up and dismantle), it also arguably does not constitute development or require the benefit of planning permission. Although it is appreciated that holding the Show is still a major undertaking for the Show Committee. However, Policy UE3 and its supporting text is concerned with holiday accommodation and letting. There is no clear definition of tourism and recreation facilities that the Show would appear to fall into and therefore it is questioned whether it falls within the scope this policy. Similarly, the scope of Strategic Policy L which deals with community facilities (although defining those in the supporting text) would also appear to exclude the Show. It would therefore seem unreasonable to refuse this application on the assumption that it would result in the loss of the 1-day Egton Show. Particularly when the show could continue on its current site but in fact would prefer to be relocated to a more operationally suitable location where it would continue.

Car Park

The proposal provides for a new village car park in a relocated position but still within very close proximity to local facilities and services where it can be easily used by the community and visitors.

There is an acknowledged and historic parking problem in this part of Egton which results in domestic and commercial parking on the green, grass verges and in on-street locations in front of residential dwellings and commercial premises. Parking also takes place between the existing agricultural double gated access and the rear entrance of Mortimers (Agricultural Engineers), predominantly taken over by M&M Motors' waiting list vehicles for repairs/servicing and vehicles ready for pick-up. The vehicles significantly detract from the character of the Conservation Area, and the approach to the village from Teesside and Whitby, resulting in a car dominated village-scape. The more formal lay-by carpark is generally utilised by employees' vehicles either working at M&M, Godbold's Blacksmiths or Mortimers.

The proposed car park replaces and relocates, the current roadside car park which has traditionally been well used, by visitors, local people and by those using the recreation field, including to overflow. The current parking in the layby is conditional and by permission of the Egton Estate. The proposal increases parking capacity as well as providing for the needs of pedestrians and cyclists. There is also scope for other benefits such as electric charging points. The fact that the new car park is replacing and relocating an existing car park means that it sits slightly differently with the policy. Policy CO3 does not explicitly require evidence of need for the car park although criterion 1) does refer to providing the only solution to identified existing parking problems. This proposal is replacing and relocating an existing car park, the loss of which would significantly exacerbate current parking problems in Egton. The only way to prevent or alleviate some of the identified parking problems in this location is to find a location for a car park that is close to the existing facilities and services – a car park located in a different part of Egton would not be able to do this – therefore the proposal car park needs to be in this location if it is to be effective and serve the needs of the community and local people as required by criterion 2) of the Policy. There are no other suitable sites in this part of Egton that could accommodate a relocated car park without being more prominently located within the Conservation Area.

The proposed site is on a greenfield site but is part of a wider development package which provides for housing and employment opportunities, the car park needs to be in this general location if it is to be used not least because both visitors and the community have become used to a car park in this area. Therefore, the proposal meets criterion 3) of the Policy. By creating a specific village car park that is set back from the highway, there is the potential to reduce the current level of informal on street parking and verge parking that takes place within the Conservation Area, with the benefit of an overall visual benefit to the wider views and setting of the Conservation Area. The proposed car park would be formally set out and landscaped to match the existing landscaping arrangement for the current layby car park, to enable its assimilation into the landscape and edge of Conservation Area in accordance with criterion 4) of the Policy. The additional capacity which allows for the opportunity for cars parked in other visible location within the Conservation Area to be accommodated in less visible locations presenting further benefit to heritage.

Therefore, in summary the proposed car park provides an opportunity to solve an existing identified parking problem, it provides benefits for pedestrians and cyclists, it is part of a wider scheme with sustainability benefits, and it is not out of character in terms of scale, design, and layout. The car park location is still extremely close to the main facilities and services of the village, it is accessible, not isolated and provides for the needs of both the community and for visitors. When considering that this proposal relates to the relocation and improvement of existing car parking facilities rather than

the creation of a brand, new facilities, the proposal meets the policy criterion and should not be refused.

Principle of Development in this location

Housing

The application provides for a comprehensive sustainable development comprising three elements – housing, car park and industrial units. Strategic Policy B of the Adopted Local Plan states that ‘Development should support the service function of Larger Villages by providing additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality’ This proposal provides for both housing (principal residence) and employment in a larger village – Egton - and therefore is wholly compliant with this policy.

The housing element is considered to be in conformity with Development Management Policy CO7 in that it proposes small scale Principal Residence housing on a suitable, partially brownfield small site in the built-up area of a defined Larger Village. The proposal is for nine dwellings and the NPPF defines major development as over 10 dwellings. The fact that housing applied for is for principal residence housing deals with a number of the issues raised by local people who are concerned about the potential for second homes or holiday lets. The existing car park area is a brownfield site (previous use as a car park), and the landowner (Egton Estate) pays non-domestic rates on it. The proposal is located within the main settlement part of Egton which is the area stretching from the recreation ground in the north to the school in the south. The proposal is not within an outlying hamlet or lower order settlement such as Egton Bridge

The policy requires new housing sites to be within the main built-up areas of the village. The policy itself does not state a number of dwellings and further detail is provided in the supporting text.

As you will be aware there is in law a difference between the weight to be applied to development plan policy and that applied to supporting text when determining application i.e., supporting text carries less weight as set out in the court judgements below:

R (Cherkley Campaign Ltd) v Mole Valley DC and another [2014] EWCA Civ 567

“16...the supporting text consists of *descriptive and explanatory matter* in respect of the policies and/or a *reasoned justification* of the policies. That text is plainly relevant to the interpretation of a policy to which it relates but it is not itself a policy or part of a policy, it does not have the force of policy and it cannot trump the policy....”

Chichester District Council v Secretary of State for Housing, Communities and Local Government Queen’s Bench Division [2018] EWHC 2386 (Admin).

“56. The distinction between the “policies” set out in the NP and its “aims” is, in my judgment, in principle a rational one. Mr Williams and Mr Garvey referred me to decision of the Court of Appeal in *R(Cherkley Campaign Ltd) v Mole Valley DC and another [2014] EWCA Civ 567* . There, the Court of Appeal distinguished between the “policies” and the supporting text. The latter might be relevant to

the interpretation of the “policies” contained in a development plan but whether a proposal conformed with, or conflicted with, the plan was to be determined by reference to the policies it sets out.”

The supporting text to Policy uses a figure of 5 and states ‘generally be sites capable of accommodating no more than 5 dwellings’ and for proposals to be well related, (para 7.31), to the form and grain of the existing surrounding residential development and should make efficient use of the available space. Paragraph 3.12 of the Local Plan indicates that no development boundaries or limits are defined and the suitability of a site for development will be defined on a case-by-case basis. This approach thereby introducing a level of subjectivity in relation to the implementation of this policy and lacks the clarity and certainty that a development boundary provides.

Policy CO7 does not define suitable sites, and this is left to the supporting text at paragraphs 7.32 and 7.33 which states that ‘Suitable small sites may not always be a gap within a continuously built-up frontage but they will always fit in with the existing pattern of the settlement’. This proposal which is a gap within an otherwise built-up frontage does fit in with the existing pattern of development which is linear, largely road frontage, facing and single plot in width. The supporting text also states: ‘It is not intended to allow consolidation of sporadic outlying development or to allow villages to expand into open countryside’. The proposal does not involve the consolidation of sporadic outlying development, nor is it located within a distinctively separate hamlet some distance removed from the main core of the village.

Paragraph 7.33 of the Local Plan also states that ‘Where settlements contain a number of built-up areas it is intended that the housing policies will apply solely to the central main built-up part of the settlement’. This proposal is located within the main core part of Egton and not located within a separate part of the built-up area. The built form of Egton (excluding Egton Bridge) is contained in a single main cluster based on the junction, stretching, north-south in linear form and includes the application site. The proposed housing forms logical infill on a largely brownfield site between the Garage site and Flushing Meadow and Abbotsford to the north and follows the prevailing linear pattern of development within the village. Abbotsford and Flushing Meadow together with the Recreation Ground on the west side of the C82 mark the limit of the settlement of Egton, further reinforced by the 30mph speed limit sign which is located close to the driveway of Abbotsford.

The Local Plan supports the provision of a range of types of housing. The application is for principal residence dwellings which is consistent with the plan’s policies and although it is made in outline the indicative layout shows how semi-detached and detached 3-bedroom dwellings could be accommodated on the site, which is consistent with the Local Plan’s aim of providing dwellings for smaller households.

The housing element of the proposal is therefore in accordance with the adopted Local Plan.

Employment/Industrial Use

As referred to above, the application provides for a comprehensive sustainable development comprising three elements – housing, car park and industrial units. Strategic Policy B of the Adopted Local Plan states that ‘Development should support the service function of Larger Villages by

providing ... employment and training premises and new facilities and services for the immediate and wider locality' This proposal provides for employment opportunities in a larger village – Egton - and therefore is wholly, compliant with this policy.

Your letter refers to Policy BL1 of the Local Plan which only supports the development of new employment facilities within the main built-up areas of the larger villages. The proposal is located in Egton which is identified as a larger village in the settlement hierarchy and the proposed employment area forms a logical extension to an existing employment area. The proposal is of a scale commensurate with the scale of the village . The proposal is still in outline and therefore there are no specific buildings proposed for the mixed industrial area. However, the mix most likely to be used would be a range of sized buildings to be used for a mix of light industrial, office and industrial use with some small-scale storage and distribution and would fall within the Use Class E (g) which specifically covers uses that can be carried out in a residential area without detriment to the amenity of the area. The proposed area for employment uses can be safely accessed from the existing road network and therefore complies with the requirements of this policy.

Both the Egton and Mulgrave Estates are regularly approached by new businesses and existing businesses in the area who are seeking to expand or require new premises. Both have records of the approaches that they have received, and these could be made available (subject to confirmation around date protection issues). Whilst there are businesses which happily occupy traditional farm buildings, they are not suitable for all and therefore the investment in new buildings by the Estates that is presented by this proposal is wholly consistent with Strategic Policy K which seeks to broaden and diversify the economy of the National Park. The policy supports proposals that would allow existing businesses to diversify and expand, where they may increase or broaden job opportunities and where they may support small, micro or start-up industries. Access to a range of high quality and long-term employment opportunities is a key factor in encouraging young people to stay in the area and help maintain sustainable rural communities. The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes and will encourage and promote opportunities for appropriate new employment, training and enterprise in the National Park as well as supporting the continued viability of the agriculture and tourism sectors.

It is acknowledged that this is a significant proposal for the National Park, but it is also a sustainable one - bringing tangible environmental, economic, and social benefits which need to be given due weight in the consideration of the proposal as a whole, rather than considering the individual components in isolation. The purpose of the planning system is to provide for sustainable development. This proposal constitutes sustainable development as defined in the NPPF . The comprehensive benefits of the scheme are a significant material consideration in this application and the planning authority is at liberty (within the test of reasonableness) to give significant weight to these in the determination of the application.

Your reference to local objections including those of the Parish Council are noted. Some local objections erroneously refer to the 'War Memorial.' The Memorial commemorates John Foster, who built the village and died in 1910. This important piece of Egton heritage is currently adjacent to a lay-by being utilised for cars in need of repair and servicing. The heritage and history of the village needs some protection, and this scheme provides a solution to protecting heritage whilst at the same time supplying suitable housing and employment needs

We are also aware of concerns raised by the Highway Authority and have had discussions directly with them in order to address their objections. Ged has indicated some 'tweaks' to the layout and design are required and that these should address their concerns. A revised layout is being produced to address these points.

You also indicate in your letter that the application will be recommended for refusal under delegated powers the Director Planning. The Director of Planning has previously extended an invitation to Mulgrave Estate for their applications to be determined by the Planning Committee. My clients would request that this application be determined by the Planning Committee on the basis of the comprehensive nature of the scheme and the level of public interest.

Yours sincerely,

Andrea Long

BSc Hons MRTPI

Director

From: Andrea Long
Sent: 25 March 2022 15:39
To: Hilary Saunders
Subject: Re: ADDITIONAL INFO TO ACTION - NYM/2021/0923/OU

Dear Hilary

By way of an update we have continued our discussions with Ged at Highways and we have amended the layout to take on board his comments. It is appreciated that the application is in outline and therefore the layout is reserved for a future application however, this layout does indicate that it is possible to accommodate a layout that meets the highways requirements.

As I am sure you may have already picked up the Egton show will be going ahead this year and has found a new home.

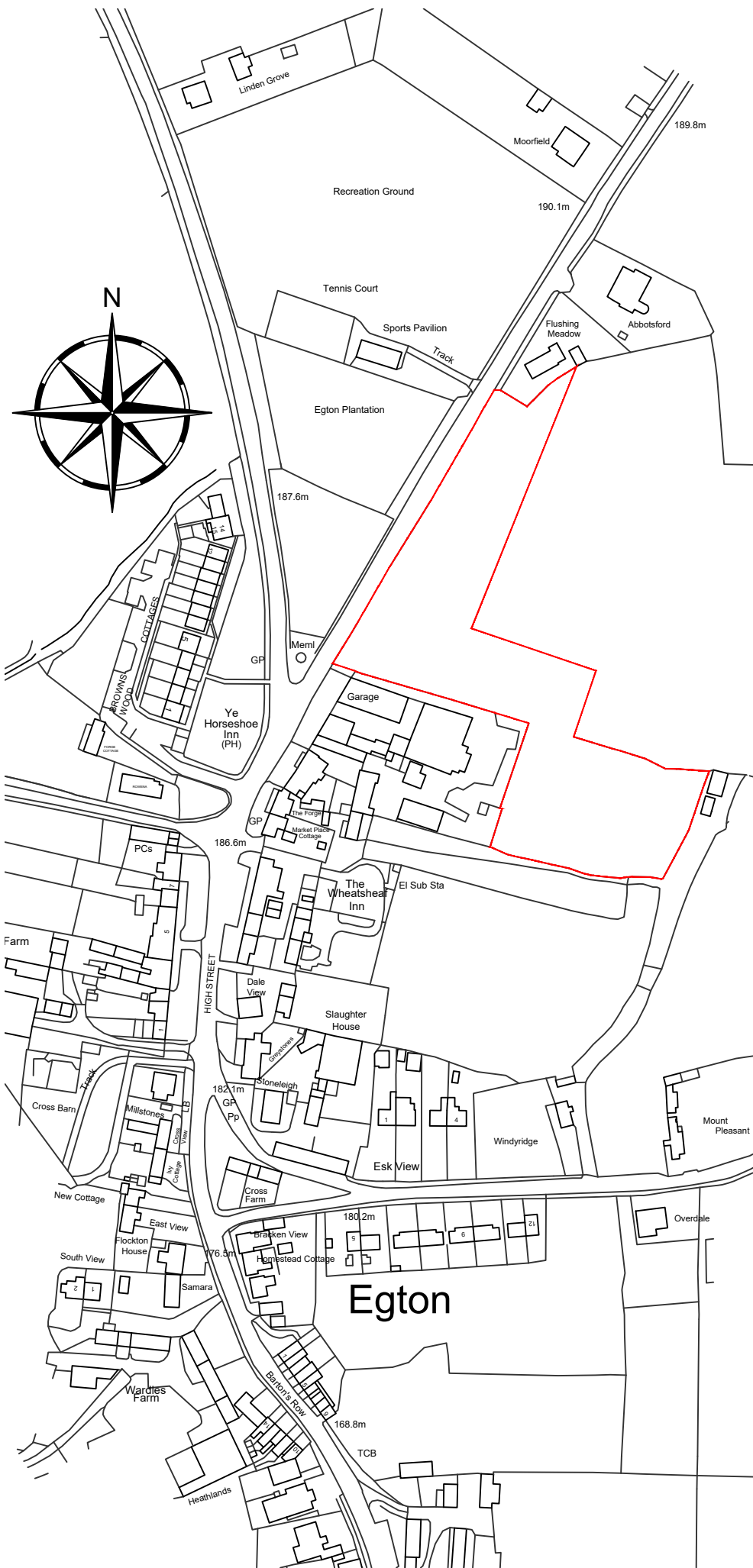
[Egton Show, near Whitby, will go ahead this summer | The Scarborough News](#)

I assume that any committee report for the application will be available from 1st April 2022?

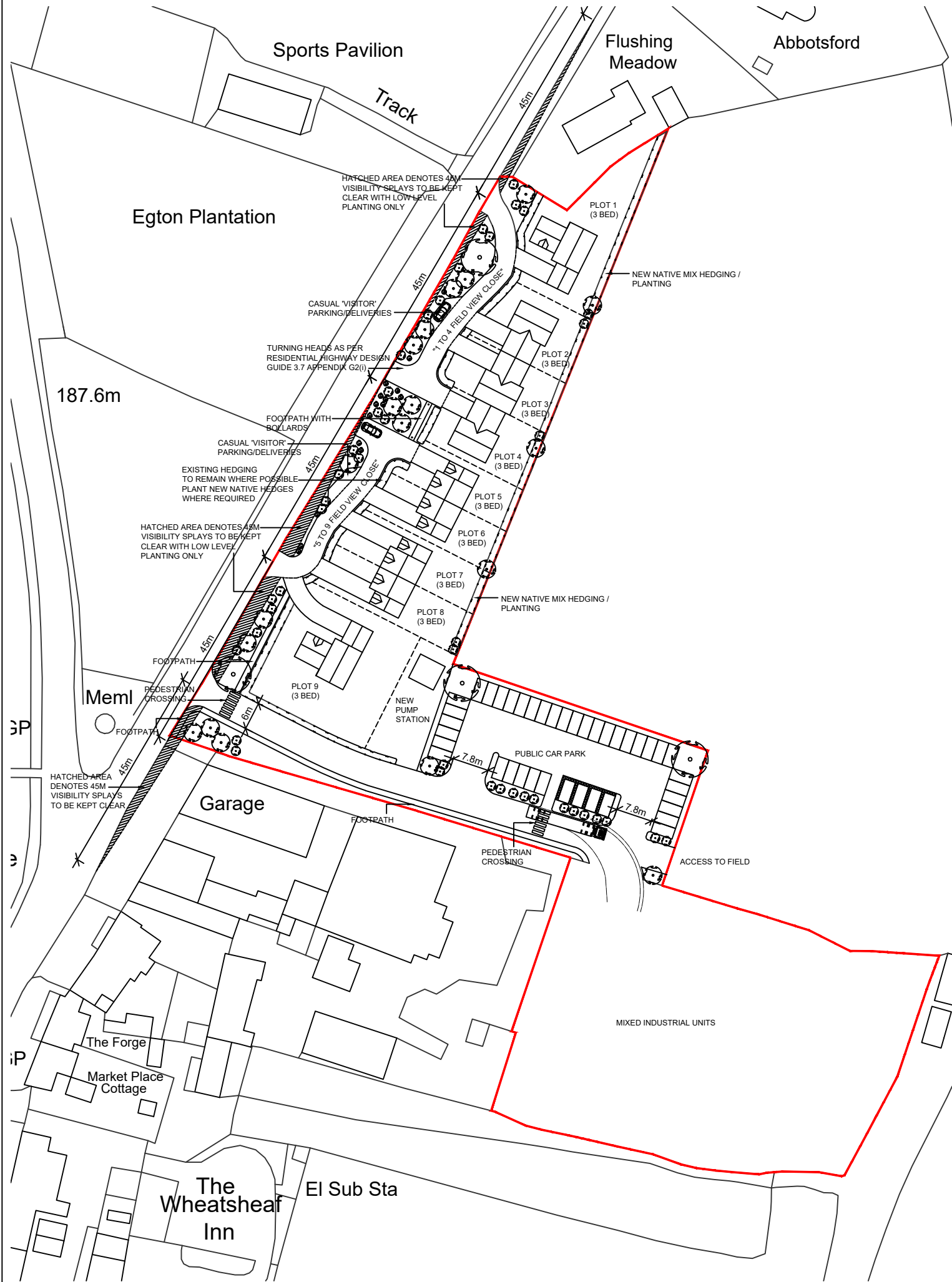
Best Wishes

Andrea

Andrea Long
BSc Hons MRTPI
Director



LOCATION PLAN (Scale 1:2500)



BLOCK PLAN (Scale 1:1000)

Rev	Date	Description	Drawn	Check	Approve
A	10/09/2021	VARIOUS AMENDMENTS FROM CLIENT/ESTATE DISCUSSIONS	JG	AL	RC
B	06/01/2022	VARIOUS AMENDMENTS FROM CLIENT/PLANNING DISCUSSIONS	JG	AL	RC
C	15/03/2022	LAYOUT AMENDMENTS INCLUDING TURNING HEADS	JG	AL	RC
D	25/03/2022	VISIBILITY SPLAY ANNOTATION & CAR PARK ACCESS AMENDMENTS	JG	AL	RC

NYMNPA
25/03/2022

AMENDED

dream-haus 
dream-haus limited
103 yew drive-brandon
suffolk-england-IP27 0AB

Client **EGTON & MULGRAVE ESTATES**

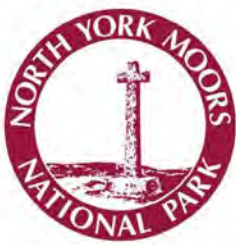
Project **MIXED USE SCHEME
EGTON, WHITBY, YO21 1UD**

Drawing **LOCATION & BLOCK PLANS**

Drawing Number **02-2021-1001**

Scale **VARIOUS** Sheet **1 OF 1** Rev **D**

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NYMNPA
25/11/2021

North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley
York
YO62 5BP
Telephone: 01439 772700
Email: planning@northyorkmoors.org.uk
Website: www.northyorkmoors.org.uk

Application for Outline Planning Permission with all matters reserved. Town and Country Planning Act 1990

You can complete and submit this form electronically via the Planning Portal by visiting www.planningportal.gov.uk/apply

Publication of applications on planning authority websites

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

Please complete using block capitals and black ink.
It is important that you read the accompanying guidance notes as incorrect completion will delay the processing of your application.

1. Applicant Name and Address

Title: First name:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

2. Agent Name and Address

Title: First name:

Last name:

Company (optional):

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Country:

Postcode:

3. Description of the Proposal

Please describe the proposal:

Erection of 9 no. dwellings (associated parking), creation of new village car park and light industrial units

3. Description of the Proposal (continued)

Has building or works already been carried out? Yes No

If Yes, please state the date when building or works were started (DD/MM/YYYY):

(date must be pre-application submission)

Have the works been completed? Yes No

If Yes, please state when the works were completed (DD/MM/YYYY):

(date must be pre-application submission)

4. Site Address Details

Please provide the full postal address of the application site.

Unit: House number: House suffix:

House name:

Address 1:

Address 2:

Address 3:

Town:

County:

Postcode (optional):

Description of location or a grid reference. (must be completed if postcode is not known):

Easting: Northing:

Description:

5. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

Yes No

If yes, you will need to submit a Flood Risk Assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)? Yes No

Will the proposal increase the flood risk elsewhere? Yes No

How will surface water be disposed of?

- Sustainable drainage system Existing watercourse
 Soakaway Pond/lake
 Main sewer

6. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application? Yes No

If Yes, please complete the following information about the advice you were given. (This will help the authority to deal with this application more efficiently).

Please tick if the full contact details are not known, and then complete as much as possible:

Officer name:

Reference:

Date (DD/MM/YYYY): (must be pre-application submission)

Details of pre-application advice received?

7. Authority Employee / Member

With respect to the Authority, I am: (a) a member of staff (b) an elected member (c) related to a member of staff (d) related to an elected member

Do any of these statements apply to you? Yes No

If Yes, please provide details of the name, relationship and role

8. Site Area

Please state the site area in hectares (ha)

9. Residential Units (Including Conversion)

Does your proposal include the gain, loss or change of use of residential units?
 If Yes, please complete details of the changes in the tables below:

 Yes

 No

Proposed Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input checked="" type="checkbox"/>			9			9
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							9

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							B

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							C

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							D

Total proposed residential units (A + B + C + D) =

Existing Housing

Market Housing	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							E

Social Rented	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							F

Intermediate	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							G

Key worker	Not known	Number of Bedrooms					Total
		1	2	3	4+	Unknown	
Houses	<input type="checkbox"/>						a
Flats and maisonettes	<input type="checkbox"/>						b
Live-work units	<input type="checkbox"/>						c
Cluster flats	<input type="checkbox"/>						d
Sheltered housing	<input type="checkbox"/>						e
Bedsit/studios	<input type="checkbox"/>						f
Unknown type	<input type="checkbox"/>						g
Totals (a + b + c + d + e + f + g) =							H

Total existing residential units (E + F + G + H) =

TOTAL NET GAIN or LOSS of RESIDENTIAL UNITS (Proposed Housing Grand Total - Existing Housing Grand Total):

9

10. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? Yes No Unknown

If you have answered Yes to the question above please add details in the following table:

Use class/type of use	Not applicable	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Unknown	Total gross internal floorspace proposed (including change of use)(square metres)	Unknown	Net additional gross internal floorspace following development (square metres)
A1	Shops	<input type="checkbox"/>			<input type="checkbox"/>		
	Net tradable area:	<input type="checkbox"/>			<input type="checkbox"/>		
A2	Financial and professional services	<input type="checkbox"/>			<input type="checkbox"/>		
A3	Restaurants and cafes	<input type="checkbox"/>			<input type="checkbox"/>		
A4	Drinking establishments	<input type="checkbox"/>			<input type="checkbox"/>		
A5	Hot food takeaways	<input type="checkbox"/>			<input type="checkbox"/>		
B1 (a)	Office (other than A2)	<input type="checkbox"/>			<input type="checkbox"/>		
B1 (b)	Research and development	<input type="checkbox"/>			<input type="checkbox"/>		
B1 (c)	Light industrial	<input checked="" type="checkbox"/>	0	0	<input type="checkbox"/>	0.4ha	0.4ha
B2	General industrial	<input checked="" type="checkbox"/>	0	0	<input type="checkbox"/>	Included with above	Included with above
B8	Storage or distribution	<input type="checkbox"/>			<input type="checkbox"/>		
C1	Hotels and halls of residence	<input type="checkbox"/>			<input type="checkbox"/>		
C2	Residential institutions	<input type="checkbox"/>			<input type="checkbox"/>		
D1	Non-residential institutions	<input type="checkbox"/>			<input type="checkbox"/>		
D2	Assembly and leisure	<input type="checkbox"/>			<input type="checkbox"/>		
OTHER	Car park	<input checked="" type="checkbox"/>	0.1ha	0.1ha	<input type="checkbox"/>	0.2ha	0.2ha
Please Specify		<input type="checkbox"/>			<input type="checkbox"/>		
	Total		0.1ha	0.1ha		0.6ha	0.6ha

In addition, for hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms

Use class	Type of use	Not applicable	Existing rooms to be lost by change of use or demolition	Unknown	Total rooms proposed (including changes of use)	Unknown	Net additional rooms
C1	Hotels	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
C2	Residential Institutions	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
OTHER		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	
Please Specify		<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>	

11. Employment

Please complete the following information regarding employees:

	Full-time	Part-time	Total full-time equivalent
Existing employees			N/A
Proposed employees			Not known

12. Hours of Opening

Please state the hours of opening for each non-residential use proposed:

Use	Monday to Friday	Saturday	Sunday and Bank Holidays	Not known
Industrial				TBC
Car park				TBC

13. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

TBC

Is the proposal a waste management development? Yes No Unknown

If the answer is Yes, please complete the following table:

	Not applicable	The total capacity of the void in cubic metres, including engineering surcharge and making no allowance for cover or restoration material (or tonnes if solid waste or litres if liquid waste)	Unknown	Maximum annual operational throughput in tonnes (or litres if liquid waste)	Unknown
Inert landfill	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Non-hazardous landfill	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Hazardous landfill	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Energy from waste incineration	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Other incineration	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Landfill gas generation plant	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Pyrolysis/gasification	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Metal recycling site	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Transfer stations	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Material recovery/recycling facilities (MRFs)	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Household civic amenity sites	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Open windrow composting	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
In-vessel composting	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Anaerobic digestion	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Any combined mechanical, biological and/or thermal treatment (MBT)	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Sewage treatment works	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Other treatment	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Recycling facilities construction, demolition and excavation waste	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Storage of waste	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Other waste management	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>
Other developments	<input type="checkbox"/>		<input type="checkbox"/>		<input type="checkbox"/>

Please provide the maximum annual operational throughput of the following waste streams:

Municipal	
Construction, demolition and excavation	
Commercial and industrial	
Hazardous	

If this is a landfill application you will need to provide further information before your application can be determined. Your waste planning authority should make clear what information it requires on its website.

14. Existing Use

Please describe the current use of the site:

Part existing layby car park, part agricultural field part unused grassed area

Is the site currently vacant? Yes No

If Yes, please describe the last use of the site:

When did this use end (if known)? DD/MM/YYYY (date where known may be approximate)

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated? Yes No

Land where contamination is suspected for all or part of the site? Yes No

A proposed use that would be particularly vulnerable to the presence of contamination? Yes No

15. Ownership Certificates

One Certificate A, B, C, or D, must be completed, together with the Agricultural Holdings Certificate with this application form

CERTIFICATE OF OWNERSHIP - CERTIFICATE A

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/The applicant certifies that on the day 21 days before the date of this application nobody except myself/ the applicant was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which the application relates.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE B

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land or building to which this application relates.

Name of Owner	Address	Date Notice Served

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

CERTIFICATE OF OWNERSHIP - CERTIFICATE C

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that:

- Neither Certificate A or B can be issued for this application
- All reasonable steps have been taken to find out the names and addresses of the other owners (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of the land or building, or of a part of it , but I have/ the applicant has been unable to do so.

The steps taken were:

Name of Owner	Address	Date Notice Served

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

15. Ownership Certificates (continued)

CERTIFICATE OF OWNERSHIP - CERTIFICATE D

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

I certify/ The applicant certifies that:

- Certificate A cannot be issued for this application
- All reasonable steps have been taken to find out the names and addresses of everyone else who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) of any part of the land to which this application relates, but I have/ the applicant has been unable to do so.

The steps taken were:

Notice of the application has been published in the following newspaper (circulating in the area where the land is situated):

On the following date (which must not be earlier than 21 days before the date of the application):

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

16. Agricultural Land Declaration

AGRICULTURAL LAND DECLARATION

Town and Country Planning (Development Management Procedure) (England) Order 2010 Certificate under Article 12

Agricultural Land Declaration - You Must Complete Either A or B

(A) None of the land to which the application relates is, or is part of, an agricultural holding.

Signed - Applicant:

Or signed - Agent:

Date (DD/MM/YYYY):

(B) I have/ The applicant has given the requisite notice to every person other than myself/ the applicant who, on the day 21 days before the date of this application, was a tenant of an agricultural holding on all or part of the land to which this application relates, as listed below:

Name of Tenant	Address	Date Notice Served
No tenant - farmed in house by Mulgrave Estate		n/A

Signed - Applicant:

Or signed - Agent:

Andrea Long

Date (DD/MM/YYYY):

24.11.21

17. Planning Application Requirements - Checklist

Please read the following checklist to make sure you have sent all the information in support of your proposal. Failure to submit all information required will result in your application being deemed invalid. It will not be considered valid until all information required by the Local Planning Authority has been submitted.

The original and 3 copies of a completed and dated application form:

The correct fee:

The original and 3 copies of the plan which identifies the land to which the application relates drawn to an identified scale and showing the direction of North:

The original and 3 copies of a design and access statement, if required (see help text and guidance notes for details):

The original and 3 copies of other plans and drawings or information necessary to describe the subject of the application:

The original and 3 copies of the completed, dated Ownership Certificate (A, B, C, or D - as applicable):

The original and 3 copies of the completed, dated Article 12 Certificate (Agricultural Holdings):

18. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Signed - Applicant:

Or signed - Agent:

Andrea Long

Date (DD/MM/YYYY):

24.11.21

(date cannot be pre-application)

19. Applicant Contact Details

Telephone numbers

Country code:	National number:	Extension number:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Country code:	Mobile number (optional):
<input type="text"/>	<input type="text"/>

Country code:	Fax number (optional):
<input type="text"/>	<input type="text"/>

Email address (optional):

20. Agent Contact Details

Telephone numbers

Country code:	National number:	Extension number:
<input type="text"/>	<input type="text"/>	<input type="text"/>

Country code:	Mobile number (optional):
<input type="text"/>	<input type="text"/>

Country code:	Fax number (optional):
<input type="text"/>	<input type="text"/>

Email address (optional):

21. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land? Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? *(Please select only one)* Agent Applicant Other (if different from the agent/applicant's details)

If Other has been selected, please provide:

Contact name:

Telephone number:

Email address:

NYMNP

25/11/2021



PLANNING
AND RURAL
CONSULTANTS

PLANNING, DESIGN & ACCESS AND HERITAGE STATEMENT (Revised to include Flood Risk Assessment)

Outline Application

Construction of 9no. dwellings, relocation of public car park and mixed industrial units

**Land northeast and east of High Street,
Egton,
YO21 1UA**

Submitted on behalf of The Egton Estate and The Mulgrave Estate



MULGRAVE
— ESTATE —

EGTON ESTATE

JUSTUM PERFICITO. NIHIL TEMETO

November 2021

Compass Point Planning & Rural Consultants

The Old Vicarage, Victoria Square, Lythe, Whitby. YO21 3RW.

Introduction

- 1.1 This statement has been prepared on behalf of the Egton and Mulgrave Estates as joint applicants in support of an outline application for planning permission for the construction of 9 no dwellings, relocation of a public car park and an area of mixed industrial units on land northeast of the High Street, Egton.
- 1.2 The statement describes the site and surrounding area, considers the planning history of the site, the relevant national and local planning policies together with any other material considerations relevant to the determination of the application.
- 1.3 This statement acts as the Planning, Design & Access and Heritage Statement as identified under the North York Moors National Park Authority's Local List Criteria. In producing this statement regards has been given to the NYMNP guidance notes on Design and Access Statements.
- 1.4 The application is made in outline with all matters except for access to be reserved for further applications.
- 1.5 The applicants have held discussions with the Egton Show Committee prior to the submission of the application.

Site and Local Planning Context

- 2.1 The application site is located within the village of Egton close to an area known as Egton Plantation, on land northeast and east of the High Street. The site is an irregular shape but broadly 'L' shaped. Immediately north of the site are two residential dwellings – Flushing Meadow and Abbotsford. These dwellings effectively mark the gateway to the village. East of the site is an agricultural field owned by Mulgrave Estate which is used for the annual Egton Show. South of the site are a number of buildings that comprise the Egton Garage and associated workshops, residential dwellings, and The Witching Post Public House. The proposed industrial units are located to the east (rear of the garage and outbuildings).
- 2.2 On the other side of the High Street to the west of the site is a Memorial which is unlisted and sits at the junction of High Street and the C84/1/80 that leads to Egton Flats. The memorial commemorates John Foster who died in 1910 and is the great, great grandfather of the current owner of the Egton Estate. The memorial was erected by the estate's tenants. North of the Memorial is an area of open grassland which is identified under Policy C05 of the Adopted Local Plan as a Community Space. North of the community space is an area of woodland, also identified in the Local Plan (as protected woodland) and to the north of that is the Recreation Ground (also identified as a Community Space in the Local Plan) which comprises sports pitches, tennis courts, play area and a pavilion. North of the recreation ground is a residential dwelling known as Moorfield. An additional residential dwelling is further west which is known as Linden Grove.

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

- 2.3 To the west of the Memorial is a terrace of affordable residential dwellings (10 in total) which were permitted in 2014. These mark the north-western edge of the built-up area of the settlement. The terrace is outside of the Conservation Area.
- 2.4 The proposal has three elements. Housing (9 new dwellings) are proposed fronting the highway (High Street) in a linear formation stretching between Flushing Meadow and the garage. This area is owned by Egton Estate and is currently a tarmacked layby used for car parking. The area has a low hedge and some ornamental shrubs and planting adjacent to the highway, and it also provides two access to the agricultural field to the east, both at the north and south extremes of the layby. The layby was formerly leased to Scarborough Borough Council for a car park, but the lease was surrendered by the tenant in February 2020. Part of the proposed housing area also includes part of the adjacent agricultural field as a narrow strip along the western boundary. This field is owned by the Mulgrave Estate and is used for the annual Egton Show. The applicants have met with the Egton Show committee to discuss the scheme.
- 2.5 The area to be used for a new village car park is located southeast of the proposed housing area. It will utilise the southern end of the agricultural field and will occupy the southern field boundary where it currently abuts the garage and workshops. There is an existing field access in this location.
- 2.6 The proposal industrial area is located to the rear of the current garage (east) and is owned by the Mulgrave Estate. A new access road will be created alongside the northern boundary of the garage to serve the industrial area, the car park and to allow for access to the field. The proposed area of industrial land is approximately 0.4ha and is currently grassed are with a storage shed used for the Egton Show.
- 2.7 The application site in its entirety lies outside of the Conservation Area, although the garage lies within the Conservation Area and therefore the southern edge of the proposed housing area is adjacent to the Conservation Area.
- 2.8 The Conservation Area contains a mix of residential and commercial uses including the garage and the two pubs – The Witching Post and The Wheatsheaf - both are within 100m of the site. Materials in this part of the Conservation Area include stone with red pantiled or black slate roofs.
- 2.9 The site is not deemed to be at risk of flooding from rivers, surface water or reservoirs, as confirmed by the Government's long-term flood risk assessment for locations in England at: <https://flood-map-for-planning.service.gov.uk/>. **See Appendix 1.**
- 2.10 Egton village is a largely linear settlement, consisting of a long broad street (High Street), with development either side. There are two key junctions. One is Egton Lane running westwards; and the second is the road to Grosmont running eastwards off the High Street.
- 2.11 The village itself has a range of services and facilities including two public houses, the Wheatsheaf, and the Witching Post at the north end of the village, a village hall, surgery, garage, and primary school. It is served by public transport with regular buses and a railway station nearby at Egton Bridge, where there are two further public houses, another school, and a shop. The population in 2011 was just under 450 people. Egton is designated as a 'Larger Village' in the Adopted North York Moors National Park Local Plan (2020) under Strategic Policy B – The Spatial Strategy.

Planning History

- 3.1 There is limited planning history within the red line of the application site but a number of historic planning applications in the vicinity. There are permissions for some storage sheds used in connection with the Egton Show that occupy part of the area proposed to be used for industrial purposes – the most recent being granted in 2005.
- 3.2 The garage site to the south and west of the application site has been the subject of a number of consents over the years, the most notable being a change of use from horticultural workshops to engineering/light industrial use in the 1980s. Consent was also given for the erection of a Pole Sign at the front of the garage adjacent to the highway in 1989.
- 3.3 The two dwellings to the north of the applications site – Flushing Meadow and Abbotsford were constructed in the 1980s and a ground floor extension to Flushing Meadow was granted in 1991. Abbotsford had a reconfigured access in 2004.
- 3.4 South of the application site there are other permissions associated with alterations to The Witching Post and the Wheatsheaf Public Houses granted over the last 20-30 years including conversion of outbuildings.
- 3.5 Further west of the application site is a terrace of affordable houses granted in 2014, these comprise 10 units and are a mix of two storey terraces with single storey bungalows at each end. These are located close to the key junction of the High Street and the C84/1/80 adjacent to the Memorial but set back from the highway with a greened area in front.

4. Details of the Proposal

- 4.1 The application is for the construction of 9 dwellings, the creation of a village car park and an area of industrial units.

Housing

- 4.2 The proposed housing element is to be considered under Policy CO.7 of the Adopted Local Plan July 2020 – ‘Housing in larger villages. All 9 dwellings are proposed to be Principal Residence Housing. This element is approximately 0.45 ha in size.
- 4.3 The application is made in outline with all matters except access reserved. However, the indicative layout shown on drawing no. 02-2021-1001, shows that it is comfortably possible for a layout to include a mix of detached and semi-detached dwellings in a linear pattern set back from but facing the road. The provision of mid-range sized housing of three bedrooms suitable for families can be accommodated. The layout of the dwellings shows them as being set back from the highway retaining the current planting scheme adjacent to the highway and making use of the existing layby arrangement. Dwellings accessing directly onto a road within the site which links to the two existing accesses at either end of the existing layby, in which parking for approximately 23 cars is provided by permission of the owner. There are no new

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

accesses to be created for this element. The dwellings gardens would extend into the current agricultural field behind the layby and the existing boundary trees could easily be incorporated into the scheme as garden trees in rear or front gardens.

- 4.4 All properties have front and rear gardens and parking in the form of garaging and driveways. The eastern boundary of the site which would largely comprise rear gardens would mark the new boundary of the agricultural field.

Village Car Park and Access Road

- 4.5 The application includes the proposal to create a new village car park located to the south-east of the proposed housing area. The car park could have approximately 40 parking spaces (including disabled spaces) and would be used by cars that would usually park in the layby. The car park would be accessed by using the existing access (which currently allows access to the field) directly south of the new housing area and would allow for access to the proposed industrial area to the rear of the existing garage/workshop as well as a new agricultural access to the field within the application site. The car park would use a portion of the agricultural field and is approximately 992m². The access road to the car park also allows for separate pedestrian access allowing for access from the car park to village services and facilities .

- 4.6 The existing layby car park has been well used at times – sometimes to overflow - and the new car park will offer additional capacity. The area is popular with walkers and the proximity of the car park to village facilities including the garage and the two public houses means that it provides convenient and secure parking.

Pumping Station.

- 4.7 A new pumping station is to be provided between the new car park and the proposed housing. This would also be accessed via the access road which serves the car park and the proposed industrial area.

Industrial Units

- 4.8 The application provides for a new area of industrial units to the rear of the current garage/workshop site. The area reserved for this use is approximately 0.4ha and is currently unused grassland and storage areas connected to the Egton Show. Access to the industrial area would be via the new access road but using the existing highway access.

- 4.9 As the application is in outline there are no specific units proposed although the proposed uses would be largely those that were formerly B1 Light Industrial (and are now E (g) Uses which can be carried out in a residential area without detriment to its amenity:

- **E(g)(i)** Offices to carry out any operational or administrative functions,
- **E(g)(ii)** Research and development of products or processes
- **E(g)(iii)** Industrial processes

In addition there could be potentially some B2 general industrial which is consistent with the garage and workshop uses already adjacent. In addition there could also be

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

some office and storage uses. Parking provision can be made on site for deliveries and some employees, however there is also the potential to utilise the proposed nearby village car park. As the application is in outline there are no specific unit sizes shown on the plans.

5. Design and Access Considerations

5.1 Design

Housing

- 5.1.1 Consideration has been given to best use of the land in terms of residential provision as well as the character of the area. The proposed site layout provides a reasonable amount of accommodation with good amenity space without reducing the level of amenity to other adjacent properties or the visual amenity of the area as a whole.
- 5.1.2 Whilst the site lies outside of the Conservation Area, this site has the potential to provide a traditional range of dwellings that reflect the historic core of the village inside of the Conservation Area.
- 5.1.3 The properties are intended to be provide family accommodation of 3- bedrooms however as the application is made in principle this can be adjusted at details stage. The properties would be two storeys consistent with the majority of the adjacent development around the central part of the village, including the new housing development west of the memorial

Village Car Park and Access Road

- 5.1.4 The application seeks in effect to relocate the car parking from the layby position adjacent the highway to a purpose-built car park north-east of the current garage site. The area identified for a car park could accommodate approximately 40 spaces including disabled spaces. The car park could be used by visitors (including walkers) who tend to use the current layby parking, local residents who may wish to park off street, visitors, and customers of the two public houses and the garage and employees and visitors of the proposed industrial units. It can also be used for disabled parking for Egton Show days. The current parking in the layby is conditional and by permission of the Egton Estate.
- 5.1.5 By creating a specific village car park that is set back from the highway, there is the potential to reduce the current level of informal on street parking and verge parking that takes place within the Conservation Area, with the benefit of an overall visual benefit to the wider views and setting of the Conservation Area. The proposed car park would be formally set out and landscaped to match the existing landscaping arrangement for the current layby car park, to enable its assimilation into the landscape and edge of Conservation Area location
- 5.1.6 The layout shows a proposed crossing point leading from the car park to a new footway which would run along the south side of the new access road. This will enable safe access and egress between the car park (and to the industrial area) to village facilities by pedestrians.

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

5.1.7 The access road runs west to east along the southern edge of the application site and provides access to the new car park, an agricultural access to the field and also to the industrial area. A new footway is proposed along the southern edge and a crossing point is included to allow for safe access to the car park.

Mixed Industrial Units

5.1.8 The application is made to establish the principle of development. Therefore there are no specific buildings proposed for the mixed industrial area. However the mix most likely to be used would be a range of sized buildings to be used for a mix of light industrial, office and industrial use with possibly some small-scale storage and distribution.

5.2 Access

Housing

5.2.1 Vehicular access to the proposed housing will be via the two existing vehicular accesses located at the northern and southern tips of the existing layby parking area. The existing layby road will be used as an internal access road and each dwelling will have its own private driveway access on to this internal road. Parking provision for the dwellings will be off road using driveways and garaging.

5.2.2 Pedestrian access from the dwellings to the rest of the village to the south will be via a new path which runs south from the southern-most dwelling to join up with the access road to the car park and mixed industrial area.

Village Car Park and Access Road

5.2.3 Access to the car park is via the existing access point just north of the Garage site which currently allows access to the agricultural field. A new access road is to be created from the existing highway access along the southern boundary of the application site created to serve the car park and the industrial units beyond but also access to the agricultural field which has been relocated. No new accesses onto the highway are to be created.

5.2.4 The access road has a short length of footway to the north to accommodate pedestrians from the new houses accessing village facilities and a longer length along the southern boundary to allow for pedestrian access to and from the car park and the industrial area. A crossing point is also included for safety reasons.

Industrial Units

5.2.5 Although the application does not contain details of the dimensions and layout of the mixed industrial area, there is sufficient room to accommodate and number of units with a central area for parking and turning including for deliveries and visitors. The adjacent village car park can also be used for either visitor or employee parking as required.

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

- 5.2.6 Access to the area proposed for mixed industrial uses is via an existing highway access and the new access road.

5.3 Sustainability

- 5.3.1 The application site and mix of uses allows for a number of potential sustainability benefits . The car park allows for the potential for the provision of electric charging points as well as being an interchange destination from which walkers and cyclists can explore the North York Moors on foot and by cycle.
- 5.3.2 The provision of new footways to connect to village services and facilities is also of benefit and in terms of the scope for innovative landscaping provision using wildflowers and pollinators.
- 5.3.3 The industrial units, whilst lying outside of the conservation area, could also benefit from the use of roof mounted solar roof tiles and panels or solar shingles, rainwater harvesting and capture systems, green roofs as well as the installation of electric charging points.
- 5.3.4 Hard surfaces can be avoided in favour of permeable pavements and driveways to allow for flooding and pollution control.

5.4. Landscaping

- 5.4.1 Existing natural features including trees and hedges shall be retained as far as possible and incorporated into the design of the layout. The existing landscaping scheme along the layby car park frontage should be retained as far as possible in order to ensure that the current access points are the only accesses and to soften the development.
- 5.4.2 Existing trees and hedges which delineate the boundary of the agricultural field will be retained and incorporated into the front of back gardens of the proposed dwellings. A new field edge will need to be created along the rear gardens of the proposed dwellings with a significant new landscape boundary.
- 5.4.3 The boundaries of the new car park will also be landscaped in order to provide a new edge to the field and to soften the visual appearance. There will also need to be landscaping and boundary treatments on the southern, western, and eastern boundaries of the proposed mixed industrial area, particularly where it abuts existing development.

5.5 Landscape

- 5.5.1 The site does not occupy a prominent position in the landscape. The fact that it is made up of three distinct elements that occupy different locations means that their situation within the landscape differs. The application site is largely flat although the agricultural field to the east does slope eastwards away from the site.

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- 5.5.2 Approaching the application site from the north along the C82 towards the centre of the village, the first building seen on approaching the village is Moorfield, located to the west, its red brick northern elevation is relatively prominent despite the tree cover to the property frontage. Moving closer to the centre of the village, the 30mph speed limit sign located close to the access drive of Abbotsford marks the entrance to the village. South of Abbotsford is Flushing Meadow and when you reach this point you do feel that you are in a village location with clear views of the houses west of the memorial and to your immediate west is the recreation ground, car park pavilion, play area. There are also a number of highway signs and telegraph poles in this location. At this point the highway edge becomes more urbanised with brown fencing along the recreation area and then glimpses of the formal landscaping that delineates the beginning of the layby car park where the housing will be located. Shortly after this is located the car park to the east, good views of the terraced housing on the western part of the green and also the northern elevation of the garage building and the workshop unit to its rear. By the time you reach the southern end of the application site, the feeling is more enclosed with residential developments in plain view together with the garage and workshops.
- 5.5.3 Approaching the application site from the south, you drive through the main village cluster and the junction with the road to Grosmont (C56), past the public houses until you reach the garage. There is built development in all viewpoints and when you reach the garage site, the layby car park and associated cars are in plain view from the High Street. The garage often has vehicles parked immediately outside of it. The Community space has a fence around it and views northwards are of the cars in the layby car park, the formal landscaping around the car park with the dwellings of Flushing Meadow, Abbotsford, and Moorfield beyond.
- 5.5.4 There are no views of the site from Grosmont Road. There is linear development along this road and planning permission for five dwellings REF NO NYM/2020/0683 exists for the only substantial gap in development. The land also rises up steeply behind these dwellings meaning that there are no long views northwards.
- 5.5.5 There is an unclassified road which is single track and provides an eastern link between the C82 and the C56. At its most northern point there are views towards the village from this road, the rear of Flushing Meadow and Abbotsford can be seen together with the tree belt along the boundary of the agricultural field and the workshop building to the rear of the garage further south. These views then disappear as you travel south-west along the road as the land rises up to the west and the road continues eastwards to its junction with the C56.
- 5.5.6 It is therefore concluded that the application would cause adverse impacts upon the landscape.

5.6 Services/Drainage

- 5.6.1 It is proposed to connect to the existing drainage and sewerage networks. A new pumping station is shown between the proposed car park and the southernmost proposed new dwelling in case it is required. The existing mains supply runs past the layby car park northwards up to the Lady Cross Caravan Park.

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5.7 Nature Conservation

- 5.7.1 There are no known protected species present on site nor is the site subject to any formal nature conservation designations

5.8 Heritage

Conservation Area and Listed Buildings

- 5.8.1 The site lies outside of the Conservation Area for Egton but adjacent to the extreme northern end of the Conservation Area. There are no listed buildings in the immediate vicinity of the site. The closest listed building is The Witching Post Public House which Grade II and is within 100m of the closest part of the site. There is significant intervening development including the garage site, workshops, and other residential development. There are almost no public views in which the Witching Post and the proposed development could be read together, and it is therefore not considered that the application would have an impact upon the significance or setting of this or any other listed building.
- 5.8.2 The character of the northern part of the conservation area comprises a mix of uses and scales including residential dwellings, commercial uses such as the public houses and the garage and workshop site which marks the northern boundary of the Conservation Area. Residential development within the Conservation Area is largely linear in form and fronts on to the highway, it is typically one plot deep and at this northern end is characterised by dwellings set back behind greened areas sometimes with informal parking in front. The garage and workshop site are larger buildings, the latter being of some significant scale compared to its surroundings however when viewed from the High Street it does not appear to dominate or be overbearing. The garage site, as would be expected, often has a large number of vehicles parked at its frontage. This when viewed approaching from the north (and to an extent from the south) can be read alongside the car parked in the layby and gives a visual impression of the dominance of the car at this entrance to the Conservation Area. The proposal provides for the creation of a village car park which would see the removal of a number of cars parked in this location and sites in a more discreet and set back location that would impinge less upon the setting of the Conservation Area. The removal of areas of car parking from this prominent point adjacent to the Conservation Area would represent an overall benefit to heritage.
- 5.8.3 Furthermore residential dwellings set back in this location would allow a longer and more open view of the approach to the Conservation Area and comprise a less prominent feature as they would not be visible until much closer when approaching the Conservation Area from the north. Views both into and out of the Conservation Area would not be cluttered by car parking and would provide an enhanced approach to the Conservation Area.

Archaeology

- 5.8.4 The area of land proposed for the mixed industrial units features on the Historic Environment Record (HER) – reference NZ80069952, which is believed to be a ‘ridge and furrow’ feature (rigg and furrow as it is known in the north-east) .

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- 5.8.5 The feature is a type of earthwork found in fields. It gives the surface of the ground a wavy corrugated effect and consists of linear ridges or humps with shallow ditches between. They are arranged in blocks, which reflect the shape of historic five. fields. Seen from the air, the ridges are often slightly S-shaped - a result of horse-ploughing techniques, and a bank or 'headland' would grow at the end of the rows where the plough turned.
- 5.8.6 Ridge and Furrow is a relic of an obsolete type of agriculture. The pattern of ridges and furrows is often all that remains of the narrow strips (called 'selions') used in the 'open field system' of agriculture – a communal method of strip farming in large village fields which has its origins in the Early Medieval period (circa AD 800- 1200), and which continued in some areas into the early 19th century. Each smallholder would work a few strips in the open fields. This system was largely destroyed by Enclosure into smaller square-shaped fields, a process which peaked in the 18th and 19th centuries. There were practical advantages in creating ridges – they increase soil depth and add to the overall surface area of the field, and the furrows between assist in drainage
- 5.8.7 It is acknowledged that areas of rig and furrow, have a cultural significance. They contain information relating to aspects of the past that has value for present and future generations. They yield social and economic information such as information about the practices of tillage, eg the physical preparation of the soil for cultivation, manuring, crops, use for grazing and pastures, etc. These, in turn, indicate particular social and economic practices and arrangements.
- 5.8.8 In addition Rig and Furrow can reveal historical information through the varying forms they take through time and the variations in scale as a result from social and technological change. Rig and furrow tends to survive best in marginal areas and are generally the results of the final episode of cultivation.
- 5.8.9 Rig and furrow provides evidence for the evolution, development and spread of agricultural technologies as represented in the hardware used to create the ridges and furrows. Spades and ploughs, traction by humans, horses or oxen, steam engines and tractors all played a role in the creation of rig and furrow and the latter has the potential to inform us on their use, through time. Rig and Furrow has cultural value because it contains unique information about agricultural practice.
- 5.8.10 The significance of rig and furrow features merits consideration in the planning process and this can be recorded through the imposition of a planning condition to secure a programme of archaeological investigation/written scheme of investigation e.g. through aerial photography or rapid topographic survey as required by Policy ENV9 of the Adopted Local Plan.

5.9 Floodrisk

- 5.9.1 The NPPF indicates that Site-specific Flood Risk Assessments (FRA) are required for any development located within Flood Zones 2 or 3. In Flood Zone 1, an assessment should accompany all proposals involving sites of 1 hectare or more. The application site is between 1 and 1.2 hectares although it is spread across different uses and different areas. The purpose of the FRA is to identify the level of flood risk to a property or site. This helps to identify the measures (*if any*) that are necessary to make a property or site

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safer. When determining planning applications, local planning authorities should be satisfied that the proposed development would not increase flood risk elsewhere.

5.9.2 This assessment has been formulated in accordance with the National Planning Policy Framework (NPPF) 2021 and NPPG (2021) and it is to be used to assist the NYMNPA and the Environment Agency when considering the potential flood risk implications of the proposal. proposal in terms of flood risk flooding issues of the proposed development as part of a planning application.

5.9.3 According to the Environment Agency's flood risk maps (see Appendix 1) the entire application site lies in Flood Zone 1. It is only the site area that has generated the need for the assessment not any concerns over the current or future flood risk in the area. Flood Zone 1 is commonly described as being at low risk of flooding. The proposed housing, industrial units and car park and access are all within Flood Zone 1.

Sequential Test

5.9.4 The NPPF seeks to take a **sequential** approach to directing all development to sites with the lowest risk of flooding and the proposal is consistent with that approach as it falls within Flood Zone 1. This is known as the **sequential test**. The Sequential Test ensures that a sequential approach is followed to steer new development to areas with the lowest probability of flooding. The flood zones as refined in the Strategic Flood Risk Assessment for the area provide the basis for applying the Test. The aim is to steer new development to Flood Zone 1 (areas with a low probability of river or sea flooding). Where there are no reasonably available sites in Flood Zone 1, local planning authorities in their decision making should take into account the flood risk vulnerability of land uses and consider reasonably available sites in Flood Zone 2 (areas with a medium probability of river or sea flooding), applying the **Exception Test if required**. Only where there are no reasonably available sites in Flood Zones 1 or 2 should the suitability of sites in Flood Zone 3 (areas with a high probability of river or sea flooding) be considered, taking into account the flood risk vulnerability of land uses and applying the **Exception Test** if required.

5.9.5 The Sequential and **Exception** Tests in respect of flooding are not applicable to minor development which are defined as having a footprint of less than 250 sqm. Each element of the proposed scheme exceeds this threshold.

5.9.6 The location of the whole site is within Flood Zone 1 and therefore has a low probability of flooding. The closest water course to the application site is approximately 250m away to the east of the Egton Show Field. The sequential test seeks to direct development to sites with the lowest risk of flooding. The site is already within Flood Zone 1 – it is the site area that has required a flood risk assessment rather than an identified risk of flooding.

5.9.7 Table 2 of the Environment Agency's Flood Risk Vulnerability Classification sets out the flood risk vulnerability of various land uses. Housing is classified as 'more vulnerable' and the industrial units and the car park are 'less vulnerable'.

5.9.8 The Environment Agency's Table 3 'Flood Risk Vulnerability and Flood Zone Compatibility' states that 'More Vulnerable' developments require an Exception Test, after having applied the Sequential Test. According to the table, development of this kind in Flood Zone 1 would be 'appropriate' in floodrisk terms and the proposal

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therefore satisfies the sequential test and there is no need to search for a sequentially preferential site.

Exception Test

5.9.10 There are specific elements to the Exception Test:

1) Will the proposed development provide wider sustainability benefits to the community which outweigh the flood risk to and from the proposed development?

5.9.11 To be clear the Floodrisk attributed to the proposal in its proposed location is negligible. It is located within Flood Zone 1 in its entirety, within the built up area of the village and not in an area that is known to flood. The development of housing, industrial units and a village car park presents a number of wider sustainability benefits to the local community including the positive economic and social sustainability outcomes such as homes for local people (achieved through principal residence), local employment, opportunities, improved facilities for visitors to enjoy the area and visit other attractions, use of the footpath and long distance trail network and the potential to provide a solution to current parking issues on the edge of the Conservation Area.

5.9.12 One of the key objectives of the National Park is to support the tourism and recreation sector, strengthen and diversify the local economy, promote healthy and sustainable communities and encourage opportunities for understanding and enjoyment of the Park. This application provides opportunities for local people to buy their own home, provide opportunities for local employment and provide premises in which new businesses can thrive or existing businesses can expand into. Visitors to the area will also benefit from the car park which can be used as a base to explore the various long-distance footpaths.

2) Will the proposed development remain safe over its lifetime (taking into account the vulnerability of the proposed users) without increasing flood risk elsewhere?

5.9.13 The proposals are located some distance from the nearest water course which is on lower ground than the proposed development and therefore, even in the event of an extreme flood, is unlikely to be affected. This is underlined by its identification in Flood Zone 1.

5.9.14 The site has been in the ownership of the two Estates for some considerable time and has never been known to flood.

3) Will it be possible for the development to reduce flood risk overall ?

5.9.15 Given the size and nature of the development and its location within the settlement limits, the amount of surface run-off is considered to be small scale. There is however scope to further reduce flood risk overall within the parameters of this application, particularly at details stage through the use of rainwater capture and harvesting measures incorporated into the design of the dwellings and the industrial units. The car park surfacing will also be important to helping to reduce surface water run-off. . However as indicated earlier the likely of flooding of the application is low given the following:

- The distance to the nearest water course

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- The general topography of the area
- The whole site (and most of its surrounding fields) is located in Flood Zone 1
- The potential for the incorporation of flood mitigation measures into the detailed design of the buildings
- The choice of surface for the car park
- The application site has not been known to flood by either of the applicants who have been the landowners for some years.

6. Planning Policy Considerations.

6.1 Local Development Plan

6.1.1 The relevant Local Development Plan for the area is the North York Moors Local Plan Adopted in July 2020. The most relevant policies are as follows:

Strategic Policy A - Achieving National Park Purposes and Sustainable Development.

6.1.2 This strategic policy takes a positive approach to new development in line with the presumption in favour of sustainable development. It seeks to conserve and enhance the natural beauty, wildlife, and cultural heritage of the National Park and to promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public. Development is allowed that:

- a) Is of a high-quality design and scale which respects and reinforces the character of the local landscape and the built and historic environment.
- b) Supports the function and vitality of communities by providing appropriate and accessible development to help meet local need for housing or services, facilities, energy, or employment opportunities.
- c) Protects or enhances natural capital and the ecosystem services they provide.
- d) Maintains and enhances geodiversity and biodiversity through the conservation and enhancement of habitats and species.
- e) Builds resilience to climate change through adaptation to and mitigation of its effects.
- f) Makes sustainable use of resources, including using previously developed land wherever possible; and
- g) Does not reduce the quality of soil, air, and water in and around the National Park.

Strategic Policy B –The Spatial Strategy.

6.1.3 Egton is designated as a 'larger village' in the spatial strategy. The strategy allows for development which supports the service function of Larger Villages by providing additional housing (including principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality.

Strategic Policy C - Quality and Design of Development.

6.1.4 This strategic policy allows development where proposals are of a high-quality design that will make a positive contribution to the local environment in accordance with the principles set out in the NYMNP Authority Design Guide.

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- the proposal incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the local area and/or that of the local vernacular.
- the siting, orientation, layout, and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality.
- the scale, height, massing, and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.
- sustainable design and construction techniques are incorporated in the proposal including measures to minimise waste and energy use and where appropriate use energy from renewable sources.
- a good quality landscaping and planting scheme which reinforces local landscape character, increases habitat connectivity, and makes use of appropriate native species forms an integral part of the proposal.
- Proposals to enhance local wildlife and biodiversity, for example through the inclusion of nesting boxes and bat roosts.
- Where appropriate, cycling facilities and car parking are provided provision and without compromising local highway safety, traffic flow or Public Rights of Way.
- and the proposal ensures the creation of an accessible, safe, and secure environment for all potential users, including the elderly, children and those with a health condition or impairment.

Strategic Policy G – The Landscape.

6.1.5 This strategic policy seeks to protect the high quality, diverse and distinctive landscapes of the North York Moors. Great weight will be given to landscape considerations in planning decisions and development will be supported where the location, scale and detailed design of the scheme respects and enhances the local landscape character type as defined in the North York Moors Landscape Assessment.

Policy ENV9 - Historic Landscape Assets

6.1.6 This policy seek to ensure that historic landscape assets such as ridge and furrow are preserved. When preservation is not justified adequate provision for recording and analysis in advance of the development, secured through an approved Written Scheme of Investigation.

Strategic Policy M – Housing.

6.1.7 This strategic policy seeks to meet the needs of local communities by enabling a minimum of 551 new homes (29 per year) to be completed over the plan period. These homes will be delivered through the development of sites allocated in the Helmsley Local Plan and in, 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 Plans approved by the National Park Authority. Schemes will be expected to meet the need for smaller dwellings and all proposals should be of a high-quality design and construction to

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ensure that the character and distinctiveness of the built environment and local landscape are maintained.

Strategic Policy K – Rural Economy

6.1.8 This strategic policy seeks to broaden and diversify the economy of the National Park. The policy supports proposals that would allow existing businesses to diversify and expand, where they may increase or broaden job opportunities and where they may support small, micro or start-up industries. Access to a range of high quality and long-term employment opportunities is a key factor in encouraging young people to stay in the area and help maintain sustainable rural communities. The Authority has a duty to foster the economic and social well-being of local communities whilst pursuing the National Park purposes and will encourage and promote opportunities for appropriate new employment, training and enterprise in the National Park as well as supporting the continued viability of the agriculture and tourism sectors.

Policy CO2 – Highways.

6.1.9 This development management policy allows development where:

- It is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety.
- the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids.
- and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area,
- the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

Policy CO3 - Car Parks

6.1.10 This Development Management Policy allows for new parking provision subject to criteria which include, alleviating existing parking problems, benefitting residents and visitors to the National Park and where the design, siting and layout do not have a detrimental impact upon natural beauty, wildlife, or cultural heritage.

Policy CO7 - Housing in Larger Villages.

6.1.11 This development management policy allows development of principal residence and affordable housing on suitable small sites within the main built-up area of the village.

6.2 Other material considerations

NPPF

6.2.1 The NPPF is a material consideration with considerable weight. The relevant national planning policies are set out in the National Planning Policy Framework (NPPF) revised in July 2021. Paragraph 7-8 of the NPPF, the Government underlines its commitment to sustainable development and states that:

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“The purpose of the planning system is to contribute to the achievement of sustainable development...achieving sustainable development means that the planning system has three overarching objectives which are interdependent and need to be pursued in mutually supportive ways:

- an economic objective – to help build a strong, responsive, and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth, innovation, and improved productivity, and by identifying and coordinating the provision of infrastructure.*
- a social objective– to support strong, vibrant, and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering well-designed, beautiful, and safe places, with accessible local services and open spaces that reflect current and future needs and support communities’ needs health, social and cultural well-being.*
- an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improving biodiversity, using natural resources prudently, minimise waste and pollution, and mitigating and adapting to climate change including moving to a low carbon economy.”*

6.2.2 In addition, paragraphs 81-85 of the framework indicate that planning decisions should help create the conditions in which business can invest, expand, and adapt. Paragraph 85 recognises that meeting local business and community needs in rural area may have to be found adjacent to or beyond existing settlements and in locations not well served by public transport.

6.2.3 To promote sustainable development in rural areas, paragraph 79 of the framework indicates that housing should be located where it will enhance the vitality and viability of rural communities. In addition is recognises that housing in one village may support services in a nearby village.

7. Assessment

7.1 Section 38(6) of the Planning and Compulsory Purchase Act (2004), requires the proposed development to be judged against the Development Plan Policies in the first instance; and planning decisions made on the basis of its compliance with the Development Plan Policies, taking into account material planning considerations, and applying the planning balance of the schemes impacts against the positive benefits that will be derived. Below is set out how the proposal performs against the Development Plan: The North York Moors Local Plan July 2020.

Strategic Policy A: Achieving National Park Purposes and Sustainable Development

7.2 The proposal is considered to be in conformity with Strategic Policy A as it is of a scale that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace, and tranquillity of the park. Neither will it detract from the quality of life of local residents or the experience of visitors. It is of a scale which will support the character and function of Egton and would not have a detrimental impact on the natural environment, biodiversity and geodiversity or the loss of important ecosystems or natural capital. It would not impact on the landscape character of the village or the

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wider area, and through careful design and material choice will enhance local character. The creation of the car park will enable cars parking to be relocated to less sensitive and prominent positions adjacent to the Conservation Area. It provides for a choice of housing that will help to meet the needs of the area. It provides opportunities for new residents to be able to access Egton's local services and facilities, without the need to use the private motor car and has good pedestrian connections to village services and facilities. The scheme will provide social benefits including the provision of a village car park, potential job opportunities for residents through the creation of the industrial units and adding to the housing stock providing appropriate and accessible development, which will help meet the Park's need for principal residence housing. It will also provide economic benefits in terms of job creation and opportunities as well as providing premises for either existing local businesses or those requiring premises to start-up.

Strategic Policy B: The Spatial Strategy

- 7.3 The proposal is considered to be in conformity with Strategic Policy B. It proposes principal residence dwellings within the built-up area of Egton which is identified as a Larger Village which is supported by the Policy. In addition, new village facility in the form of a village car park will be provided by the application together with new business and industrial units. Egton is a village that already contains a range of services and the car park, and the mixed industrial units will add to the range of facilities available to local people and visitors.

Strategic Policy C: Quality and Design of Development

- 7.4 The application is made in principle and there are no specific details however, an indicative layout is shown and the details of any new dwellings, the industrial units and the layout of the car park are reserved to a alter applcaiiiton.

Strategic Policy G: The Landscape

- 7.5 The proposal is considered to be in conformity with Strategic Policy G as the application site does not exhibit the main characteristics associated with the Lower Esk Valley Landscape Character Type and lies between existing development. The proposal would not impact upon any areas that are representative of the Landscape Character Type, nor does it contribute significantly to the wider overall landscape character. The site is visually contained and has development in immediately adjacent on a number of sides resulting in only a limited contribution to the wider landscape character area. The site reflects the character, amenity, and form of the village. Any potential impact upon landscape character here will localised, being mostly limited to the site itself and limited views from the north-east when looking back towards the site from an unclassified single-track road. The site's development would not adversely affect the character of Egton. It would not impact upon any heritage features and is outside of the Conservation Area. Part of the proposal represents a small amount of further linear development, in keeping with the character of the surrounding area and represents an appropriate infill opportunity. The car park and the industrial units add to the range of village facilities and are located behind existing development away from main views.

Policy ENV9 - Historic Landscape Assets

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- 7.6 The proposal includes land known to contain ridge and furrow features. The proposal would not allow for the feature to be retained in situ however the imposition of a condition requiring a programme of archaeological recording /written scheme of investigation would allow for the proper recording of the feature for historic environment record purposes in accordance with this policy.

Strategic Policy K – Rural Economy

- 7.7 The proposal is considered to be in conformity with this strategic policy as it will provide a mix of industrial units within a village that is identified as a Large Village, thereby providing opportunities to diversity its employment base and provide opportunities for existing businesses to expand and for new business enterprises to start-up. It will also add to the range of employment opportunities for local people in Egton and provide the opportunity for people to work sustainably close to where they live

Policy CO2: Highways

- 7.8 The proposal is considered to be in conformity with Development Management Policy CO2. It is in a location that is capable of being, accessed by public transport, walking, or cycling. The site will use existing accesses and will provide a new car park with safe pedestrian access. The application does not require the diversion of an existing Right of Way. The site links easily through to Egton's services and facilities which are no more than a 1–2-minute walk. Public Transport is available with the 95-bus connecting the village to Whitby and nearby railway stations at Egton Bridge. Visibility from the site looking both ways along the C82 Road is good, and the traffic generated by an additional 9 dwellings will not cause a severe impact on the local highway network or result in impact on the safe operation of the highway network in this location. The removal of large areas of parked cars at the entrance to the Conservation Area and relocated to a more discreet location, whilst providing additional parking capacity is considered to be of overall highway benefit.

CO3 Car Parks

- 7.9 The proposal is considered to be in conformity with development management policy CO3. The proposal relocates an existing car park and increases its capacity. The car park is relocated to a less prominent position than the existing location adjacent to a prominent part of the Conservation Area and the additional capacity provided will enable cars currently parked around the current garage site or on street or on verge within the Conservation Area to be relocated providing a visual improvement to the conservation area.
- 7.10 The car park will be for the benefit of local residents, visitors including those needing a base from which to begin their walk and for visitors and employees to the proposed industrial units. Although the proposed location is not a brownfield site, it is essentially the relocation of an existing car park with additional capacity. There are no other

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suitable sites in this part of Egton that could accommodate a relocated car park without being more predominantly located within the Conservation Area.

- 7.11 The proposed car park does not have any natural beauty or wildlife impacts and in terms of cultural heritage it can be argued that the opportunity to relocate the car park from its current prominent location adjacent to the Conservation Area to a more discreet location presents a heritage benefit, The additional capacity which allows for the opportunity for cars parked in other visible location within the Conservation Area to be accommodated in less visible locations presenting further benefit to heritage.

Strategic Policy M: Housing

- 7.12 The proposal is considered to be in conformity with Strategic Policy M. It will contribute, albeit modestly towards meeting the Policy's aspiration of delivering a minimum of 551 new homes (29 per year) over the Plan period. It represents a windfall scheme on a suitable small site in a village capable of accommodating new homes.

Policy CO7: Housing in Larger Villages

- 7.13 The proposal is considered to be in conformity with Development Management Policy CO7. The application proposes small scale Principal Residence housing on a suitable, partially brownfield small site in the built-up area of a defined Larger Village. The policy requires new housing sites to be within the main built-up areas of the village and for proposals to be well related to the form and grain of the existing surrounding residential development and should make efficient use of the available space. The proposed housing forms logical infill on a largely brownfield site between the Garage site and Flushing Meadow and Abbotsford to the north and follows the prevailing linear pattern of development within the village. Abbotsford and Flushing Meadow together with the Recreation Ground on the west side of the C82 mark the limit of the settlement of Egton, further reinforced by the 30mph speed limit sign which is located close to the driveway of Abbotsford.
- 7.14 The policy requires new housing sites to have satisfactory access to the existing public highway. They must be of a scale that is appropriate to the size and function of the settlement. Egton is identified as a larger village in the settlement hierarchy and therefore development of this scale would naturally be more appropriate in a village of this size with this number of facilities than smaller villages. The housing element makes use of an existing brownfield site and also provides additional elements of the car park and the industrial units thereby constituting a comprehensively sustainable proposal. The policy requires that development proposals must be well related to the form and grain of the existing surrounding residential development and should make efficient use of the available space. The housing element of the proposal makes full use of an existing brownfield site and follows the predominantly linear form of the village. This means allowing scope for the full capacity of the site to be developed in future if the initial proposal is for just part of the site.
- 7.15 The Local Plan acknowledges that suitable small sites may not always be a gap within a continuously built-up frontage, but they will always fit in with the existing pattern of the settlement. The proposal is consistent with this principle. In addition it does not

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

allow consolidation of sporadic outlying development or allow villages to expand into open countryside.

- 7.16 The Local Plan supporting text also indicates that where settlements contain a number of built-up areas it is intended that the housing policies will apply solely to the central main built-up part of the settlement. The built form of Egton (excluding Egton Bridge) is contained in a single main cluster based on the junction, stretching, predominantly north south in linear form and includes the application site.
- 7.17 Local Plan support the provision of a range of types of housing. The application is for principal residence dwellings which is consistent with the plan's policies and although it is made in outline the indicative layout shows how semi-detached and detached 3-bedroom dwellings could be accommodated on the site, which is consistent with the Local Plan's aim of providing dwellings for smaller households.

NPPF July 2021

- 7.18 Paragraph 11 of the framework confirms its objective of achieving sustainable development and that decisions on planning applications that accords with the Development Plan should be approved without delay.
- 7.19 The proposed development is in conformity with this part of the revised NPPF. The application, as demonstrated in the previous section, confirms that the scheme would contribute to achieving sustainable development (it provides social and economic benefits) and is in conformity with the Development Plan. Paragraph 47 confirms that applications for planning permission must be made in accordance with the Development Plan unless material considerations indicate otherwise. It also requires the planning authority to approve development that accords with the Development Plan without delay. The proposed development is in conformity with this part of the revised NPPF. The application, as demonstrated in the previous section, is in conformity with the Development Plan.
- 7.20 Paragraphs 60-80 of the framework set out the Government's intention to boost housing supply. Housing should be considered in the context of the presumption in favour of sustainable development. The planning authority should positively seek opportunities to meet the development needs of their area, and development in rural areas to help enhance or maintain the vitality of rural areas. The proposed development is in conformity with this part of the revised NPPF and the proposal will contribute to the local supply of housing.
- 7.21 Paragraphs 81-85 of the framework indicate that planning decisions should help create the conditions in which business can invest , expand, and adapt. The application proposes mixed industrial units in a village identified as a Larger Village in the settlement hierarchy and provides the opportunity for job creation and a better balance between jobs and housing in the village. The proposal is consistent with paragraph 84 of the framework which supports the sustainable expansion and growth of all types of business in rural areas and paragraph 85 which recognises that sites to meet local business needs may be found adjacent or beyond existing settlements. The proposed industrial units are located immediately adjacent to existing commercial units in the main built-up part of the village. Units in this location would not have an

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton

unacceptable impact upon local roads (there is easy access to the A174 Whitby to Teesside Road) from this end of the village.

- 7.22 Paragraphs 104-111 seek to ensure movement is minimised and sustainable transport modes maximised. Parking should take account of accessibility, type and mix of development, opportunity for public transport and local car ownership levels. Proposals should not have an unacceptable impact on highway safety. The proposed development is in conformity with this part of the revised NPPF. The site is located within walking distance of a range of services and facilities. It is also close to public transport facilities.
- 7.23 Paragraphs 119-126 seek to ensure the efficient use of land and appropriate densities. The proposed development is in conformity with this part of the revised NPPF. The scheme's density reflects the area's prevailing character and setting, which is characterised by linear frontage development or a single plot depth. The housing element also makes use of a brownfield site. The above demonstrates that the scheme is in conformity with the Development Plan. The Local Plan supports small scale principal residence housing in Larger Villages which includes Egton. The scheme will provide social and economic benefits including adding to the housing stock providing appropriate and accessible development, which will help meet the Park's need for principal residence housing and once built, the new residents will help to support the function and vitality of Egton and its services and facilities.
- 7.24 The proposal will not result in significant environmental impacts or the loss of important ecosystems or natural capital. It provides scope for a net gain in biodiversity through conditioning any consent to require new boundary planting to use native species, and installation of bird and bat roost boxes.
- 7.25 Due to the benefits derived from the proposed development, and the lack of any adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme when assessed against the Development Plan Policy and relevant material considerations, including the revised NPPF as a whole, the scheme can be considered sustainable development.

8 Conclusion

- 8.1 In conclusion, this application is considered to be in general, accordance with the Development Plan, as required by Section 38(6) of the Planning Act (2004) (The Act). The Adopted NYMNP Local Plan includes Strategic Policy B and Development Management Policy CO7, which allows for Principal Residence housing in 'Larger Villages', which Egton is classified as.
- 8.2 The application in its entirety is consistent with the policies of the NYMNP Local Plan and the NPPF Revised in July 2021. The application should therefore be permitted for the following reasons:
- The proposed housing element comprises principal residence housing, for small units, on a brown field site within a village identified as a Larger Village in the Local Plan settlement hierarchy
 - The pattern and form of the proposed housing is consistent with the linear pattern of development prevailing in the village, makes use of a brown field site between

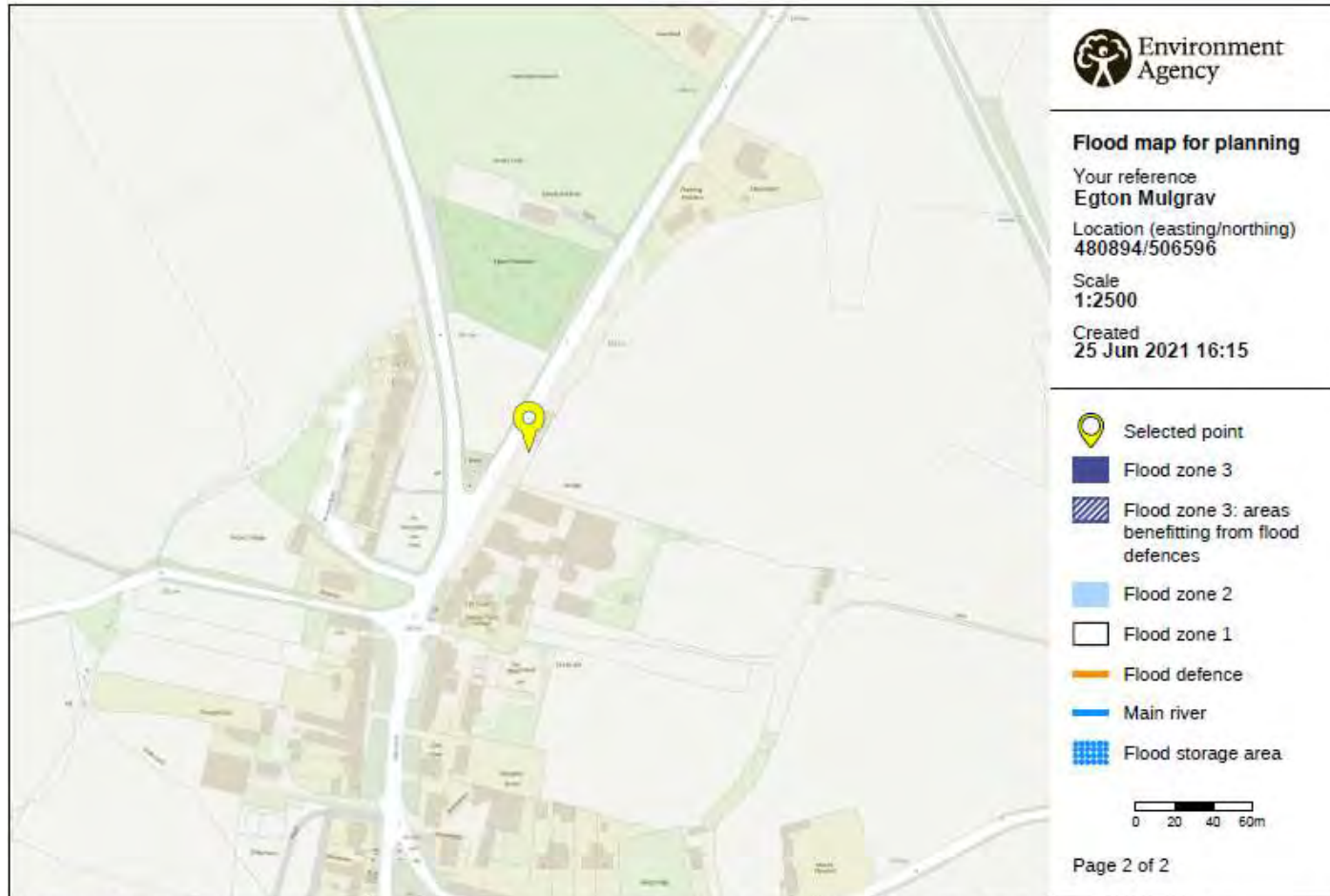
existing development (the garage and the two dwellings known as Abbotsford and Flushing Meadow)

- The proposed housing is immediately adjacent to local facilities such as the recreation ground, pavilion, the garage, workshops, and two public houses, which can be easily and readily accessed on foot using safe footway connections.
- The application provides for a relocated village carpark with expanded capacity which can accommodate cars that are regularly parked at the garage site, in the highway or on verges.
- The implications of removing the visual clutter of existing car parking from a visually prominent location has benefits for heritage in terms of the character and appearance of the Conservation Area.
- The car park element of the proposal provides safe crossing and footway access from the car park to village facilities for pedestrians
- The car park can be used by both visitors and local people.
- The mixed industrial units provide opportunities for existing local businesses to expand and for new businesses to start up
- The industrial units will create jobs which may be suitable for local people who will be able to access employment sustainably without the need to use the private car.
- The industrial units provide the opportunity to broaden the economic base of the village
- There are no significant landscape, nature conservation or cultural heritage impacts.
- There are no new highway accesses created
- The Egton Show can continue in the agricultural field
- The proposal provides for agricultural access to the field
- The proposal provides for economic, social, and environmental benefits through the provision of new housing and jobs for local people together with an environmental enhancement of the Conservation Area through the removal of large areas of car parking to a more discreet location

8.2 With the above in mind, and taking into account the potential social, environmental, and economic benefits derived from the scheme, it is considered to constitute sustainable development as described by the Development Plan, and the emerging Local Plan and the NPPF.

8.3 There are no other relevant material considerations that would individually or collectively indicate the application should not be approved indeed there is an extant permission on the site for the development proposed save for the difference in occupancy – formerly local occupancy and now Principal Residence. Furthermore, in applying the planning balance, the scheme derives a number of benefits with no adverse impacts that would significantly and demonstrably outweigh the benefits. Therefore, and in accordance with the NPPF, the planning application should be permitted without undue delay.

Appendix 1 – Environment Agency Flood Risk Map



Appendix 2: Public Rights of Way

25-June-2021



Appendix 3 – Site Photos



View from south-western corner of application site, adjacent the highway, looking north across the layby

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View from southwestern part of the site looking east along where the new access road and car park will be created (note field access)



View from southwestern corner of the site looking south towards village, with garage in foreground

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View from southwestern corner of the site looking south-west towards village. New homes in background



View from southwestern corner of site looking west towards the memorial and woodland

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View west from the southwestern corner of the site



View from southwestern corner of site looking directly west across community space towards new housing

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



Southern end of the existing layby looking east



Southern end of layby looking north

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



Eastern boundary of layby looking east



Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View from proposed housing site (northern end of the layby) looking west



View west from layby looking towards recreation area

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



Northern entrance to the layby looking north



Northern entrance to layby looking south

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View from layby looking north towards Flushing Meadow



View from northern end of layby looking south

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



Southern end of layby looking back to village

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



View from southern end of layby looking south

Construction of 9 no dwellings, new village car park and industrial units north and east of High Street, Egton



Appeal in connection with Outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed-use industrial units with associated access at land north-east and east of High Street, Egton

**List of additional plans and documents not part of the original application
NYM/2021/0923/OU**

1. 2022-01-24 Public - Additional Correspondence from Agent
2. 2022-03-25 Public Amended Plans @A4 - Amended plan showing amended access details – Location and Block Plans – Mixed Use Scheme , Egton – 02-2021-1001 @A3
3. 2022- 04-06 Public Agent correspondence to be circulated at Committee
4. Planning Committee Agenda 07-April-2022
5. NYM_2022_0923_OU – Decision Notice

From:

Subject: FW: NYM/2021/0923/OU - Additional Information for Members" Update - Planning Committee 07/04/22

Date: 06 April 2022 09:08:41

Attachments: [0.png](#)

Importance: High

From: Andrea Long

Sent: 05 April 2022 17:52

To: Planning

Cc: Robert Childerhouse

Subject: NYM/2021/0923/OU - Additional Information for Members' Update - Planning Committee 07/04/22

Dear Planning Team,

I would be grateful if you could add the attached information to the Members' update paper for the planning committee on Thursday.

The information is factual and relates to the following:

1. Error in the committee report relating to application site area
2. The committee report only contains one photograph, which is at the north of the application site and does not show its full extent or setting. The attached provides additional photos to show the site in context.

I would be grateful if you could acknowledge receipt of the email and confirm that the information will be seen by members of the committee.

It is (covid-19 permitting) the intention for either myself or one of the applicants to speak at the meeting and we have registered to do so.

Best Wishes

Andrea

Andrea Long
BSc Hons MRTPI
Director

From:

Sent: 28 March 2022 10:05

To: Andrea Long

Subject: NYM/2021/0923/OU

Reference: NYM/2021/0923/OU.

The North York Moors National Park Authority Planning Service welcomes public engagement in all aspects of its work. You have received this email in relation to a current planning matter. The attached correspondence contains important information which you are advised to retain for your records. If you have any queries, please do not hesitate to contact us. When replying it's best to quote our reference number, which is included in the attached letter.

The Authority is following Government advice concerning Covid-19 as such our working arrangements may change. We will ensure our letters and website are updated as and when required in order to provide our customers with the most up to date information.

Kind regards

Chris France

Chris France
Director of Planning
North York Moors National Park Authority
The Old Vicarage
Bondgate
Helmsley, York YO62 5BP
Tel: 01439 772700
www.northyorkmoors.org.uk



ADDITIONAL INFORMATION FOR PLANNING COMMITTEE MEMBERS

**NORTH YORK MOORS NATIONAL PARK AUTHORITY PLANNING COMMITTEE MEETING –
7TH APRIL 2022**

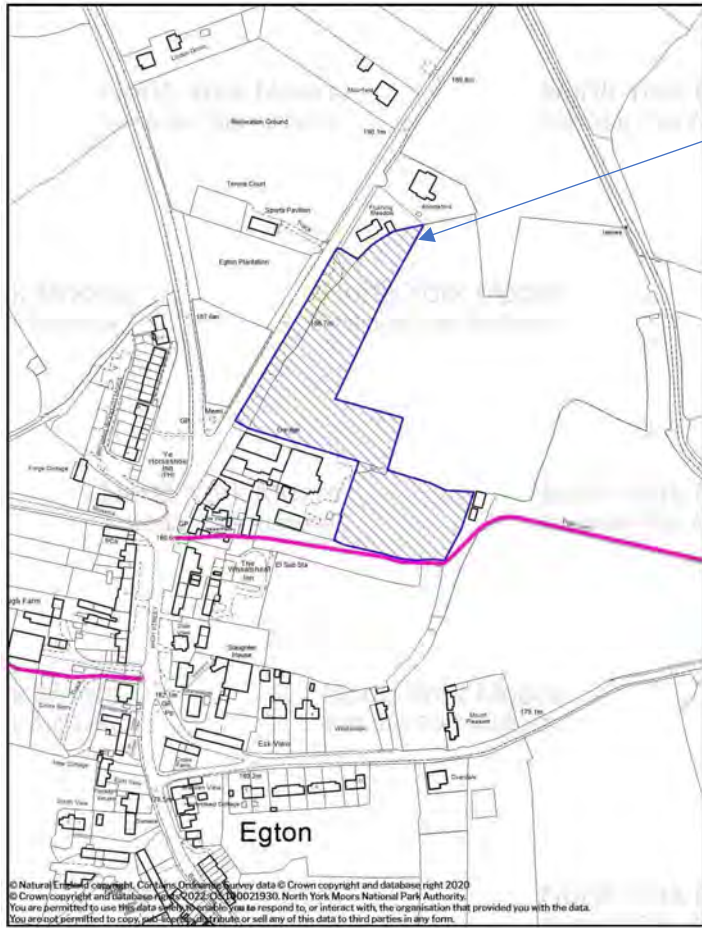
AGENDA ITEM NYM/2021/0923/OU – Land north and east of the High Street, Egton

APPLICANTS: Egton and Mulgrave Estates

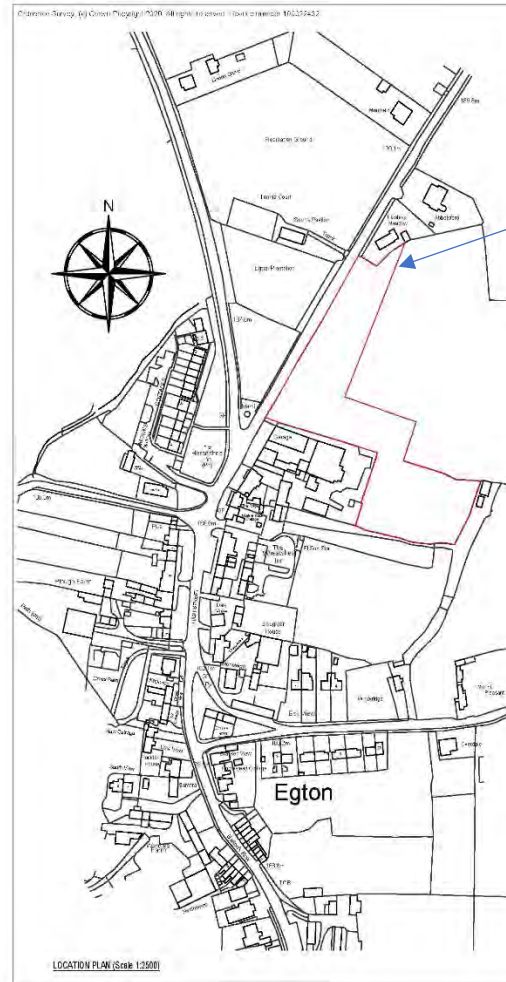
1. Site Area shown in the Committee Report differs from that in the submitted plans.

Members please note difference in north-east corner of site close to the existing dwellings of Flushing Meadow and Abbotsford.

The submitted plan includes less area of the agricultural field within the application site boundary and is illustrated below.



Committee Report



Submitted Plan

2. The committee report contains a single photo of the site which appears to be taken from Google Instant Street View (dated September 2021) below. It is taken from one end of the site and doesn't show the site entrance, the proposed car park entrance or the entrance to the proposed industrial area, or the site in context.



It is noted that some other applications on the committee agenda including those for much smaller developments have more than one photograph to aid members.

Having not attended a NYMNPA planning committee before, it is unclear whether additional photos will be made available during the Officer's presentation.

Therefore, to aid members to appreciate the full context of the application site additional photographs from Instant Street View (dated September 2021) – which is believed to be from the same source as the photograph in the agenda, are shown below together with some taken by one of the applicants on 5th April 2022.



From High Street looking north



Same photo as used in Committee Report – Looking south towards the village centre



Outside the garage



Layby parking (note two lines of cars) – looking north



From High Street looking north towards the site with garage in the foreground (orange van is parked)



Looking south along High Street – note parking to front of properties



Looking south towards village centre

Photographs taken by applicant on 5th April 2022



Vehicle parking at the junction near the garage looking south



Vehicle parking close to application site entrance, looking south



Vehicle parking close to garage, looking north



Vehicle parking close to application site entrance



Vehicle parking at the garage, note industrial unit to the rear.



Vehicle parking at road junction opposite the garage.



On street vehicle parking in the High Street



Vehicles parked on street at junction



Vehicle parking in High Street – including on street and on grass verge



Vehicles parked on street in High Street

**Town and Country Planning Act 1990
North York Moors National Park Authority**

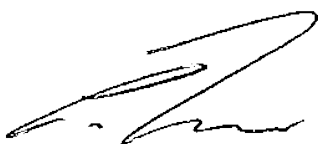
**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

To Egton and Mulgrave Estates
c/o Compass Point Planning and Rural Consultants
fao: Ms Andrea Long
The Old Vicarage
Vicarage Square
Lythe
Whitby
North Yorkshire
YO21 3RW

The above-named Authority being the Planning Authority for the purposes of your application validated 25 November 2021, in respect of **outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed-use industrial units with associated access at land north east and east of High Street, Egton** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

- 1 The site is considered to lie outside of the main built up part of the settlement of Egton and does not constitute a suitable small site as defined by Strategic Policy M and Policy CO7 of the North York Moors Local Plan in that the site is not located within the main built up part of the village and does not fit in with the existing pattern of the settlement. If permitted, this development would represent harmful sporadic development and extend outwards the main built up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park.
- 2 The site proposed for industrial units is considered to lie outside of the main built up part of the settlement of Egton and does not comprise the re-use of or small extension to an existing building. Furthermore it has not been demonstrated that the proposed industrial units would not result in noise disturbance that would be detrimental to the amenities of occupiers of existing or proposed residential properties. If permitted this proposal would be of a scale and in a location that would have a detrimental impact on the character of the locality and residential amenity contrary to Policy BL1 of the NYM Local Plan.
- 3 The site of the proposed car park is on agricultural land outside the main built up part of the settlement and would have a detrimental impact on the character of the locality. Furthermore, there is no adequate justification that the proposed car park would meet an identified need or benefit both the community and visitors to the National Park. The proposal would therefore be contrary to Policy CO3 of the NYM Local Plan.

Continued/Reasons for Refusal



Mr C M France
Director of Planning

Date 13 April 2022

Please Note your Rights of Appeal are attached to this Decision Notice

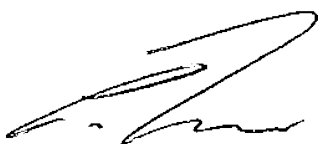
**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

- 4 The proposal development would be located on the edge of the Egton Conservation Area in an area which contributes positively to its historical values and would go beyond the development limits of the village, negatively impacting the existing archaeology evident on the HER and LiDAR. Furthermore the proposed design/layout of the housing, including features such as parking to the front, would not follow the form and grain of Egton, and would be very suburban in design, out of character with the locality. The proposal is therefore not suitable for such a prominent site in a North York Moors village, particularly given that it is also the gateway to a conservation area and its development would be to the detriment of the conservation area, contrary to NYM Local Plan Strategic Policy I and Policy ENV11.
- 5 If approved, the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a significant threat to the character, special qualities and distinctiveness of the more rural settlements of the National Park and therefore have a detrimental impact the wider landscape of the Park, contrary to the aims of Strategic Policy B of the North York Moors Local Plan.

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.



Mr C M France
Director of Planning

Date 13 April 2022

Please Note your Rights of Appeal are attached to this Decision Notice

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development
Rights of Appeal**

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
- refuse an application for planning permission or grant it subject to conditions;
 - refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission or grant it subject to conditions; or
 - refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months of the date of this notice (12 weeks in the case of a minor commercial application). The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

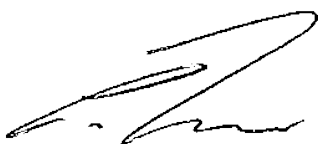
- (2) If permission to develop land is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at www.planningportal.gov.uk/planning/appeals

Notes

- Please note, only the applicant possesses the right of appeal.
- No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of



Mr C M France
Director of Planning

Date 13 April 2022

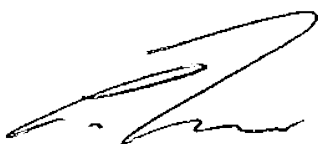
Please Note your Rights of Appeal are attached to this Decision Notice

**Town and Country Planning Act 1990
North York Moors National Park Authority**

**Notice of Decision of Planning Authority on Application for
Permission to Carry out Development**

obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.

3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.



Mr C M France
Director of Planning

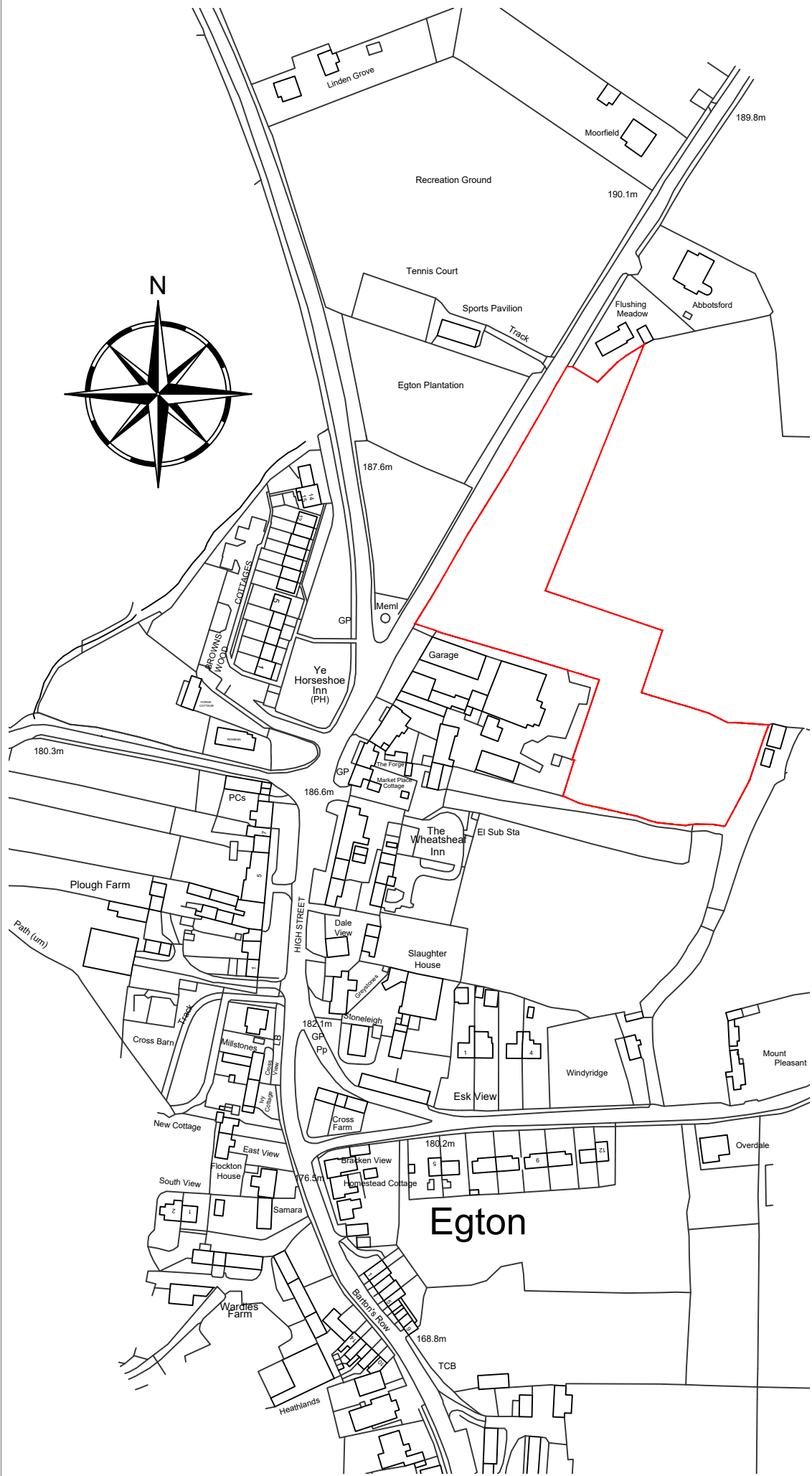
Date 13 April 2022

Please Note your Rights of Appeal are attached to this Decision Notice

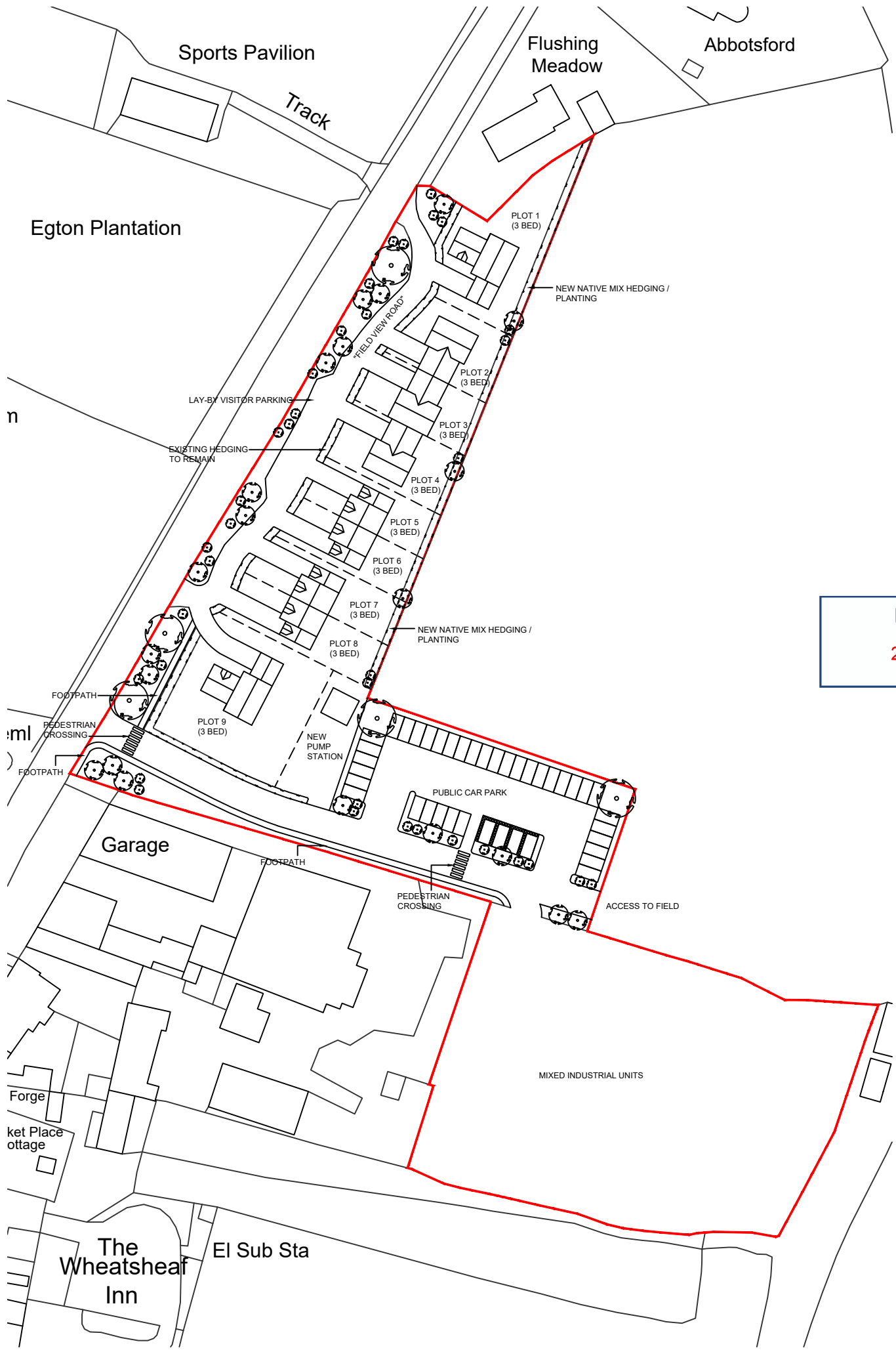
Appeal in connection with Outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed-use industrial units with associated access at land north-east and east of High Street, Egton

List of Documents Submitted with Application NYM/2022/0923/OU

1. 2022-01-12 Public Application form as submitted
2. 2022-01-12 Public – Plans – Location and Block Plans – 02-2021-1001 – Mixed Use Scheme Egton @A3
3. 2022-01-12 Public – Supporting Information - PLANNING, DESIGN & ACCESS AND HERITAGE STATEMENT (Revised to include Flood Risk Assessment)



LOCATION PLAN (Scale 1:2500)



BLOCK PLAN (Scale 1:1000)

Rev	Date	Description	Drawn	Check	Approve
A	10/09/2021	VARIOUS AMENDMENTS FROM CLIENT/ESTATE DISCUSSIONS	JG	AL	RC

NYMNPA
25/11/2021

dream-haus
dream-haus limited
103 yew drive-brandon
suffolk-england-IP27 0AB
www.dream-haus.com

Client **EGTON & MULGRAVE ESTATES**

Project **MIXED USE SCHEME
EGTON, WHITBY, YO21 1UD**

Drawing **LOCATION & BLOCK PLANS**

Drawing Number **02-2021-1001**

Scale **VARIOUS** Sheet **1 OF 1** Rev **A**

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Agenda

Meeting: Planning Committee

Venue: The National Park Office, The Old Vicarage, Bondgate, Helmsley

Date: Thursday 7 April 2022

Business

1. Apologies for absence.
2. Public minutes of the meeting held on Thursday 10 February 2022.
3. Public minutes of the site visit minute held on Friday 25 February 2022.
4. Public question time (an opportunity for members of the public to ask questions).
5. Members are reminded that it is their responsibility to declare the nature of any personal, prejudicial and/or disclosable interests relating to any agenda item immediately prior to its consideration and are encouraged to complete a written declaration using the form provided.
6. Emergency evacuation procedure – The chair to inform members of the public of the emergency evacuation procedure.
7. Miscellaneous items.
 - (a) Appeals (Development Management)
 - (b) Appeals (Enforcement)
 - (c) Planning applications determined by the Director of Planning
 - (d) List of enforcement matters determined by the Director of Planning
 - (e) Number of planning applications outstanding
8. To consider applications, together with the Director of Planning recommendations thereon: -

Plans List Item Number	Application Reference	Development description and site address
1	NYM/2021/0923/OU	outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access at Land north east and east of High Street, Egton

Plans List Item Number	Application Reference	Development description and site address
2	NYM/2022/0057	construction of replacement dormer window together with erection of decking at Appletree Cottage, Whitby Road, Robin Hoods Bay
3	NYM/2021/0175/FL	alterations, construction of single storey side extension and replacement detached garage at 2 Railway Cottages, Goathland
4	NYM/2021/0597/FL	alterations and construction of single and two storey extensions together with first floor balcony following demolition of existing garage and conservatory at 6 Prospect Field, High Hawsker, Whitby
5	NYM/2022/0059	installation of replacement powder coated aluminium sliding doors and flue at Thornlea, Mill Green Way, Goathland
6	NYM/2022/0043	change of use of residential accommodation to offices and meeting room (no external alterations) at Grosmont Station House, Front Street, Grosmont

Relevant planning files are available for inspection prior to the Meeting upon request. Photographic evidence will be on display in the Committee Room (where applicable).

- Such other business as, in the opinion of the Chair, should, by reason of special circumstances, be considered as a matter of urgency.

Chris France
Director of Planning

Press Contact: Nina Beadle, Media and Communications Officer, 01439 772700

Note:

The Authority allows the recording and reporting of public meetings but asks that any party wishing to do so informs the Authority in advance of the meeting. Recording and reporting that disrupts the meeting is not allowed. Persons expressly refusing consent, children and vulnerable adults cannot be filmed or photographed. The existing rules relating to confidential and exempt information, defamation, Data Protection and Public Order apply. The Authority accepts no liability whatsoever for the recording and reporting carried out by other parties.

Members are reminded to turn all electronic equipment to silent mode, including mobile phones, laptop computers and tablets. Please note that only information that is available to Members during the Committee meeting should be accessed from a computer in the interests of sound decision making.

Please note that the meeting may be adjourned to enable Members and Officers to have appropriate breaks (including lunch). This will only be undertaken when absolutely necessary and at the Chair's discretion. Lunch will be available at approximately 12.30 pm. Members taking lunch will have the appropriate amount deducted from any subsistence claim they may make.

Tea and coffee will be available a quarter of an hour before the meeting.

Please ensure when parking in the car park that you have not caused an obstruction which could prevent emergency vehicles accessing the building.

Judith Seaton should be notified of any apologies.

This agenda and application documentation are also available on the website www.northyorkmoors.org.uk. Comments on planning applications can be submitted by post to North York Moors National Park Authority, The Old Vicarage, Bondgate, Helmsley, YO62 5BP or by e-mail to planning@northyorkmoors.org.uk

- **This agenda is available in large print on request.**

North York Moors National Park Authority

Item 2, Public minutes of the meeting held on Thursday 10 February 2022, 10.00am

Present:

Peter Berry, Malcolm Bowes, Ena Dent, Janet Frank, Alison Fisher, David Hugill, Patrick James, David Jeffels, Heather Moorhouse, Abida, Nayyar, Sarah Oswald, Caroline Patmore, Andrew Scott, Subash Sharma, Colin Williamson

Apologies:

Jim Bailey, Clive Pearson, Bob Marley, Shaun Moody

Copies of all documents considered are in the minute book

01/2022 Minutes

That the public minutes of the meeting held on Thursday 02 December 2021, having been printed and circulated, be taken as read and be confirmed and signed by the Chair as a correct record.

02/2022 Public question time

There were no questions from members of the public.

03/2022 Members interests

Members were reminded of their responsibility to declare any personal, prejudicial and/or disclosable interests relating to any agenda item prior to its consideration.

04/2022 Emergency evacuation procedure

The Chairman informed members of the public of the emergency evacuation Procedure.

05/2022 Tree Preservation Order 2021/3, Croft Court, Kilburn

Considered: The report of the Woodland Officer

Declaration of interest: Caroline Patmore declared a personal interest in this item as County Councillor for the area.

Recommendation: That Members either confirm Tree Preservation Order 2021/3 Croft Court or allow the provisional order to lapse at the end of the provisional period and in the meantime issue consent for the tree to be felled at the owner's discretion.

Resolved: That Members confirmed Tree Preservation Order 2021/3 Croft Court subject to on-going monitoring of the health of the tree.

06/2022 Miscellaneous items

Considered: The report of the Director of Planning

Resolved: That the report be noted.

07/2022 Applications for planning permission

The following members of the public addressed the meeting regarding the plans list items indicated:

Plans list item 2: John Steel spoke on behalf of the applicant.

Plans list item 3: Mr Hussain spoke as the applicant and Steve Kay (Lockwood Ward Member) spoke in objection to the application.

Plans list item 4: Mr McKnight spoke as the applicant and Mr McCosh spoke in objection to the application.

Plans list item 6: Cheryl Ward spoke as the applicant's agent, the Director of Planning read out a statement on behalf of Kay Mizen Edwards who was unable to attend the meeting in support of the application, Ken Thwaites spoke in objection to the application and Councillor Agnew spoke on behalf of the Parish Council.

Considered: The report listing applications and the Director of Planning's recommendations thereon.

Members also considered further information circulated on the Members' update sheet including updated recommendations from the Director of Planning and comments received after the agenda was printed from: consultees, objectors, and supporters.

Resolved:

That with regard to all applications listed in the report and subject to:

the amendments specified below; and

the imposition of conditions in accordance with the relevant provisions of Sections 91-94 of the Town and Country Planning Act 1990, except in those instances where an alternative condition is contained in the Director of Planning's recommendation or in an amendment referred to in (i) above:

Decisions be given in accordance with the Director of Planning's recommendations.

Plans list item 1

NYM/2021/0647/FL - Erection of 2 no. holiday lodges with associated access, parking and landscaping works at land south of Middlewood Farm Holiday Park, Middlewood Lane, Fylingthorpe.

Decision: Approved with the decision delegated to the Director of Planning to clear amendments to the landscaping condition to ensure the scheme enhances biodiversity and seeks an alternative surfacing material.

Plans list item 2

NYM/2021/0600/FL - Demolition of existing building and erection of 14 no. holiday lodges with associated internal access road, parking and landscaping works at Trig Point 49, 80 Staithes Lane, Staithes.

Decision: Approved with the decision delegated to the Director of Planning to clear amendments to the landscaping condition to include the requirement to submit a maintenance plan.

Plans list item 3

NYM/2021/0722/FL - Creation of parking area with electric vehicle charging points, construction of cafe/kiosk building, alterations to existing structure to facilitate use as electric cycle charging store and use of land as outdoor seating at land at Fox and Hounds Inn, Slapewath, Guisborough.

Declaration of interest: Peter Berry declared a prejudicial interest in this item as a member of Guisborough Town Council and colleague of Councillor Steve Kay and left the room. Ena Dent declared a prejudicial interest in this item as an acquaintance of the café owner and left the room.

Decision: Refused as recommended.

Plans list item 4

NYM/2021/0820/FL - Change of use of annexe to dual use as annexe or holiday letting accommodation together with erection of canopy above existing French doors on the south elevation (part retrospective) at The Old Rectory, Station Road, Kildale.

Declaration of interest: Heather Moorhouse declared a personal, non prejudicial interest in this item as County Councillor for the area and due to having been contacted by the objectors.

Decision: Approved as recommended.

Plans list item 5

NYM/2021/0175/FL - Alterations, construction of single storey side extension and replacement detached garage at 2 Railway Cottages, Goathland.

Decision: Consideration deferred to enable a site visit to be undertaken to fully assess the impact of proposal on the non-designated heritage asset and Conservation Area, with the attendance of Members being regarded as an approved duty for the purposes of the payment of Members' allowances.

Plans list item 6

NYM/2021/0747/FL - Use of land for the siting of 2no. camping pods adjacent to Lawns Farm, Ugthorpe at Lawns Farm, Barry Bank, Ugthorpe.

Declaration of interest: Colin Williamson declared a non prejudicial interest in this item as an acquaintance of the applicant.

Decision: Approved with the decision delegated to the Director of Planning to clear an amendment to condition eight to strengthen the road frontage hedgerow and to incorporate the Woodland Officer's comments.

North York Moors National Park Authority

Item 3, Public site visit minutes of the meeting held at 2 Railway Cottages, Goathland, on Friday 25, March 2022 at 10.30 am.

Present:

Janet Frank (Chair), David Jeffels, Bob Marley, Colin Williamson, Andrew Scott, Alison Fisher, Ena Dent.

Apologies:

Jim Bailey, Sarah Oswald, Heather Moorhouse, Subash Sharma, Patrick James.

National Park Authority Officers:

Mark Hill (Head of Development Management), Maria Calderon (Building Conservation Officer)

Others:

- **Parish** – Jayne Harker and Andrew Murray
- **Neighbours** – Nicola Atkinson and Ian Thompson
- **For the Applicant** – Jason Wood and Builder.

NYM/2021/0175/FL: alterations, construction of single storey side extension.

The Chair opened the meeting by asking everyone to identify themselves and then reminded all, that the purpose was a site inspection not a meeting and no decisions would be taken.

The planning officer reminded members that the purpose of the meeting was to look at the proposal for a side extension on an unusual railway property which was built facing the former rail line and drew attention to the high-quality principle front elevation with its gabled dormer and flying buttress. Officers set out the policy considerations and the concerns were explained about both the principle of a side extension and scale/size of the particular extension and its impact on the symmetry and balance of the host building and its setting contrary to Local plan policy CO17 which requires applications to not harm the character and form of the dwelling. The building Conservation Officer explained the historic significance of the building and why a side extension would be harmful in greater detail

The extension site was viewed from the adjacent garage forecourt, from the roadside and from within the site.

The chair asked the applicant representative about the design and accommodation considerations which led to the side extension being pursued, the applicant's son explained the need for ground floor bedroom and bathroom facilities to counter the owner's decreasing mobility.

Members asked a series of questions to the son about whether there were other revisions such as reduced footprint and moving further away from front elevation that could potentially be made to address the concern about the application breaching the 30% floorspace increase limit in the policy.

When all questions had finished the Chair closed the meeting after advising there was the option of moving on to Grosmont House, Grosmont to see another GT Andrews Building where there was an original extension to a GT Andrews building at 90 degrees to the rail facing elevation, that members were invited to visit. It was also pointed out that there was another pair of GT Andrews's railway cottages at Moorgates Goathland in case Members wishes to see another example of this type of railway cottage. The Chair closed the meeting after thanking everyone for their attendance.

Mark Hill

Head of Development Management

25 March 2022

North York Moors National Park Authority

Item 4, Public question time for all planning committee agenda items excluding the list of planning applications together with the Director of Planning's recommendations

When?

Public Question Time will be at the beginning of each meeting, immediately after the minutes of any previous meeting have been agreed, and will be limited to a maximum of 15 minutes of questions and answers in total.

What?

- Only questions will be allowed and these must relate to the business of the Authority
- Any questioner will be limited to two minutes maximum speaking time
- Supplementary questions will only be allowed for purposes of clarifying an earlier answer
- If answers cannot be provided on the day a reply in writing will be offered

How?

Any questions must be delivered in writing to the Director of Planning at least two clear working days before the meeting. The Chair will then call questioners at the meeting in the order questions were received.

Answers to questions will normally be given by the Chair.

Exclusions?

No question relating to an individual recipient of services will be allowed, as appropriate alternative channels exist for such inquiries.

The opportunity to ask questions under this scheme does not apply to staff or their representatives, since other mechanisms are available.

No questions can be accepted which relate to matters which would normally be dealt with in private session because they relate to exempt information, for example:-

- Legal actions
- Financial and business affairs of other organisations
- Individual members of staff
- Trade Union negotiations

No questions can be accepted where there is a statutory procedure in place for public consultation, for example:-

- Traffic regulation orders
- Public rights of way orders, etc

Notice of questions should be sent to:

Director of Planning, National Park Office, Old Vicarage, Bondgate, Helmsley, YO62 5BP
or by email to planning@northyorkmoors.org.uk.

North York Moors National Park Authority

Item 7, Miscellaneous items

a) Development Management appeals

Please note that the appeal documentation for each of the applications listed below can be found by clicking on the application reference number.

Hearings and inquiries

Reference number	Appellant's name and location	Development description	Date, time and venue
NYM/2019/0431/FL	Edwards, Silpho Brow Farm West, Silpho, Scarborough YO13 0JP	Change of use of agricultural buildings for the purposes of stabling horses and commercial storage in connection with the use of the site as a horse rescue, rehabilitation and horse rehoming charity, retention of touring caravan for workers rest room, retention of portacabin for use as workers accommodation, siting of toilet block, replacement summerhouse and gravel surfacing of field entrance to assist with drainage together with fenced external storage area (part retrospective)	10 August 2022, 10am, North York Moors National Park Authority Headquarters, The Old Vicarage, Bondgate, Helmsley

Appeals received

Reference number	Appellant's name and location	Development description
NYM/2021/0749/FL	Mr & Mrs Wheater, Whitecroft, Roseberry Lane, Newton under Roseberry	Construction of single storey side extension
NYM/2021/0229/FL	Mr Stuart Anderson, Land near to Station Square, Ravenscar	Erection of replacement stable block

Reference number	Appellant's name and location	Development description
NYM/2021/0027/FL	Mr Charles Wordsworth, Restoration Barn, Thornhill Farm, Goathland	Conversion of building to 1 no. holiday letting cottage (revised scheme following refusal of NYM/2019/0738/FL)
NYM/2021/0407/FL	Mr Allan Fishburn, 103 Aldenham Road, Guisborough	Alterations and construction of two storey side extension

Appeals determined

Reference number	Appellant's name and location	Development description	Decision
NYM/2021/0371/FL	Sandy Fitton, 75 High Street, Castleton	Alterations, construction of single storey rear extension and dormer window to front	Appeal dismissed. Decision attached at Appendix 1.

b) Enforcement appeals

Please note that the appeal documentation relating to the enforcement cases listed below can be found by clicking on the reference number.

Hearings and inquiries

Reference number	Appellant's name and location	Development description	Date, time and venue
NYM0001/2021	Edwards, Silpho Brow Farm West, Silpho, Scarborough YO13 OJP	Alleged unauthorised earth works; siting of a caravan; siting of a portacabin; use of agricultural barn to store waste; use of land for the keeping of rescue animals; and use of land for the keeping of horses	10 August 2022, 10am, North York Moors National Park Authority Headquarters, The Old Vicarage, Bondgate, Helmsley
NYM0001/2021	All for Horses Rescue and Rehoming, Silpho Brow Farm West, Silpho, Scarborough YO13 OJP	Alleged unauthorised earth works; siting of a caravan; siting of a portacabin; use of agricultural barn to store waste; use of land for the keeping of rescue animals; and use of land for the keeping of horses	10 August 2022, 10am, North York Moors National Park Authority Headquarters, The Old Vicarage, Bondgate, Helmsley

Appeals received

None

Appeals determined

None

c) Applications determined by the Director of Planning

A list of applications determined by the Director of Planning in accordance with the scheme of delegation is attached at **Appendix 2.**

NB: Members wishing to enquire further into particular applications referred to in the Appendix are asked to raise the matter with the Director of Planning in advance of the meeting to enable a detailed response to be given.

d) List of enforcement matters determined by the Director of Planning

A list of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation is attached at **Appendix 3.**

e) Number of planning applications outstanding

A list of the number of planning applications which were validated over 13 weeks ago is attached at **Appendix 4.**

Tom Hind
Chief Executive

Chris France
Director of Planning

Background documents to this report

Document	File Ref	Location
Signed letter: dates as given	3024	The Old Vicarage, Bondgate, Helmsley, York, YO62 5BP

Appeal Decision

Site visit made on 11 February 2022

by Gareth Wildgoose BSc (Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18th February 2022

Appeal Ref: APP/W9500/D/21/3285295

75 High Street, Castleton, Whitby YO21 2DB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Sandy Fitton against the decision of North York Moors National Park Authority.
 - The application Ref NYM/2021/0371/FL, dated 6 May 2021, was refused by notice dated 28 July 2021.
 - The development proposed is a single storey rear extension and dormer window to front.
-

Decision

1. The appeal is dismissed.

Procedural Matter

2. The proposal was the subject of amended plans following the submission of the application. Accordingly, I have considered this appeal on the basis of the plans and details upon which the National Park Authority (NPA) made its decision.

Main Issues

3. The main issues of the appeal are:
 - The effect on the character and appearance of the host property and the area, and;
 - The effect on the living conditions of occupiers of neighbouring properties, with particular regard to No. 77 High Street (No 77) and matters of outlook.

Reasons

Character and appearance

4. No 75 High Street (No 75) is a two-storey terraced house within a row of seven properties that have a broad consistency of front building lines despite gradual differences in height and set back from the road. The differences arise from a gentle curve in the road alignment and changes in land levels. The properties within the terraced row are in an elevated position relative to High Street and have characteristic features such as two storey front flat roofed bay window elements. However, steeply upward rising land levels along the road, result in variations in slab levels, roof eaves and ridge heights within the terrace.
5. The transition of building heights along the terraced row is reflected in the stepped arrangement and balanced appearance of three pairs with opposite

handed projecting bay windows and shared front porches (Nos. 73 and 75, 77 and 79, 81 and 83), before a final step up to an individual property (No 85). The stepped rhythm of the terrace visible from High Street prevails despite some differences in colour of render, other facing materials, roof tiles used and the presence of rooflights. A degree of harmony is also maintained along the rear elevations, including the presence of shared single storey rear outriggers. However, divergent features are more noticeable at the rear such as solar panels and a rooflight at No 75, a rear dormer at No 81 and additions beyond the outriggers and at their side, such as a raised deck at No 77.

6. Strategic Policy C of the North York Moors NPA Local Plan (LP), adopted July 2020, amongst other things, seeks high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North Yorks Moors NPA Design Guide (Design Guide). The policy includes relevant requirements to matters of character and appearance such as incorporating 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. This includes the scale, height, massing and form of the proposal being compatible with surrounding buildings.
7. Policy CO17 of the LP specific to householder development, requires full account be taken of the character of the local area and the special qualities of the National Park. It indicates that development within the domestic curtilage of dwellings will only be permitted where, amongst other things, the scale, height, form, position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. This includes for extensions and alterations to an existing dwelling; being clearly subservient to the main part of the building; and that the design and detailing should complement the architectural form and character of the original dwelling. The associated Design Guide Part 2: Extensions and Alterations to Dwellings, amongst other things, makes clear that the use of dormers on the front elevation will generally be inappropriate unless the street or local area is characterised by existing dormers on the front elevation.
8. The front elevations of the terrace of which No 75 forms part are visible from High Street and the National Park landscape beyond given their prominent position toward a valley ridge. As mentioned, the properties have a strong and characteristic rhythm that prevails despite variations in slab and land levels and some differences in materials. This is due to a combination of balanced proportions, the sequencing of shared entrances and alternating fenestration including two storey bay windows. Those features are complemented by the simple and largely uncomplicated stepped profile of roof slopes that transition with upward sloping land levels via progressive wall upstands.
9. The front dormer window as proposed would be relatively small in terms of the overall size of the existing front roofslope of No 75 and would consist of a traditional pitched roof design which I observed are an intermittent feature of a variety of semi-detached, detached properties and flatted development in the wider National Park landscape. Furthermore, the dormer is proposed to match the existing dwelling in terms of its external materials which would reduce its prominence in that wider landscape. Nonetheless, the roofscape of the dwelling and the terrace when viewed from High Street are largely unaltered, apart from rooflights at Nos. 81 and 85, which is a distinctive and important characteristic of its relationship with the local street scene.

10. It follows that the introduction of a front dormer would result in an incongruous and disruptive element of the roofscape because of its prominent position on the front of the dwelling. This would be incompatible with the remainder of the terrace and, as such, would unacceptably harm the local street scene. In reaching that view, I have taken account of limitations on the property to alternatively provide a rear dormer due to the presence of existing solar panels. I also note the perceived benefits of a front dormer offering extra living space and enhanced views for residents of the open countryside beyond High Street that forms part of an attractive National Park landscape. However, those private benefits do not override the harm upon the character and appearance of the host dwelling and the surrounding terrace that I have identified.
11. Turning to the single storey rear extension, the consistency of position, width, design and form of the shared rear outriggers along the terraced row maintains a characteristic rhythm and pattern of gaps in built form at ground floor level. The established architectural features make a positive contribution to the character of the existing properties and the area, despite differences in land levels, a variety of single storey additions and outbuildings beyond the outriggers and the presence of some raised decking areas between outriggers and shared boundaries.
12. The proposed single storey rear extension comprises a side return adjoining the single storey shared outrigger with No 73 and, thereby, would infill the existing gap between the common boundary with No 77. The infilling of the gap from the outrigger at No 75 up to the boundary with No 77, as proposed would include a glazed roof lantern and otherwise flat roofed section adjoining and altering the existing roof eaves height of the shared outrigger. The resultant effect would be an awkward and incompatible relationship with the main dwelling and surrounding properties. The incongruity of the extension would be emphasised by the discordant proportions and positioning of windows in the rear elevation when viewed against the resultant form of the shared outrigger, together with the alterations to use of facing brick in contrast to the rendered rear elevation of the main dwelling at first floor level. The consequent inharmonious appearance of the extension, when all of those factors are taken together, would also disrupt the characteristic sequencing and form of shared outriggers within the terrace, causing significant harm to both the character and appearance of the host property and that of the surrounding terrace.
13. In reaching the above findings, I have taken into account that the extension would be screened from High Street and its street scene by the terraced row and surrounding properties. Furthermore, it would not be visually prominent within the wider landscape towards the rear due to differences in land levels and a mix of trees and landscaping screening beyond the residential curtilages of the terraced row. However, the absence of visibility from public vantage points does not justify the harm otherwise identified and the failure to achieve a high-quality design to reflect and complement the architectural character and form of the original building and/or that of the local vernacular.
14. There are a wider variety of properties along High Street including bungalows, detached and semi-detached dwellings and flats of varied architectural styles, building lines and proportions. I also observed examples of existing front and rear dormers and rear extensions in the surrounding area. However, those features, and their relationships with the character of their host dwelling and surrounding properties are different to the proposal before me. In any case,

their presence does not justify the harm identified, nor do the letters of support from neighbours.

15. I conclude that the proposed development would significantly harm the character and appearance of the host property and the area. The proposal, therefore, conflicts with the requirements of Strategic Policy C and Policy CO17 of the LP, and associated guidance in the Design Guide Part 2: Extensions and Alterations to Dwellings. The policies are consistent with the National Planning Policy Framework (the Framework) in seeking to achieve well-designed places.

Living conditions - neighbouring properties

16. Strategic Policy C and Policy CO17 of the LP, when taken together, also require that proposals will not have an adverse impact on the amenities of adjoining occupiers. In that respect, it is common ground between the parties that the dormer window to the front as proposed would not harm the living conditions of neighbouring properties in terms of outlook, light and privacy. I have no reason to take a different view given that the dormer would be located within the existing front roofslope and facing the open countryside landscape beyond.
17. The NPA's **specific concerns relate to the single storey rear extension** and its relationship with No 77. Based on the evidence, the extension would be approximately 2.6m in height adjoining the shared boundary up to the depth of the existing outriggers. However, the difference in floor levels between the properties is considerable which results in the neighbouring windows and doors of No 77 being located significantly higher than No 75. As such, the difference in levels would result in only a limited proportion of the upper segment of the side wall being visible for occupiers of No 77 above the existing boundary wall and fence. Consequently, despite the considerable rear projection of the extension in close proximity to the shared boundary, the variation in land levels would ensure that the limited scale, bulk and massing of built form visible from No 77 would not have a significant overbearing effect upon or loss of light to the nearest habitable room, its raised decking area or the rear garden beyond. The lack of windows facing No 77 would also prevent any loss of privacy, whilst the matching depth with the shared rear outrigger would prevent any adverse impact upon occupiers of No 73.
18. I conclude that the development would not have a harmful impact upon the living conditions of occupiers of neighbouring properties. The proposal, therefore, would not conflict with Strategic Policy C and Policy CO17 of the LP in that respect. The policies are consistent with the Framework insofar as it seeks a high standard of amenity for all existing and future users of places.

Conclusion

19. I have found no harm with respect to the effect of the development on the living conditions of occupiers of neighbouring properties. However, the harmful effect upon the character and appearance of the host property and the area is decisive upon the outcome of this appeal and reflects conflict with the development plan and the Framework that is significant and overriding.
20. For the reasons given above, I conclude that the appeal should be dismissed.

Gareth Wildgoose

INSPECTOR

Appendix 2

List of applications determined by the Director of Planning in accordance with the scheme of delegation for the period of 19 January 2022 to 08 March 2022.

Please note that the decision notice for each of the Authority's applications listed in this report can be found by clicking on the application reference number.

Hambleton

Application reference: NYM/2021/0415

Listed Building consent for construction of building comprising activity area and bunk rooms following demolition of existing timber building (revised scheme to NYM/2018/0032/LB and NYM/2019/0699/LB) at Watson Scout Centre, Carlton in Cleveland for North Yorkshire County Scout Council

Granted on 07/03/2022

Application reference: NYM/2021/0498/FL

Erection of replacement shed at Ellermire View, Chop Gate for Frank Auffret

Approved on 27/01/2022

Application reference: NYM/2021/0708/LB

Variation of condition 2 of Listed Building consent NYM/2018/0449/LB to allow amended staircase design, gallery and relocation of studwork partitions, door repairs and installation of security cameras and free standing letterbox (part-retrospective) at Methodist Church, Chop Gate for Mr Henry Stamp

Granted on 14/02/2022

Application reference: NYM/2021/0867/CLE

Certificate of lawfulness for the construction of a building more than four years ago and use of building for domestic storage, domestic parking of vehicles and domestic recreational activity, all incidental to the use of the adjacent dwellinghouse known as Bilsdale House, Chop Gate in excess of ten years at Bilsdale House, Chop Gate for Mr David McDonnell

Issued on 15/02/2022

Application reference: NYM/2021/0890/FL

Alterations, removal of sun room and construction of a single storey extension to rear at 5 Black Horse Lane, Swainby for Mr & Mrs Muir

Approved on 17/02/2022

Application reference: NYM/2021/0941/FL

Trenching of land to facilitate installation of ground source heat pump (retrospective) at Whorlton House Farm, Whorlton, Swainby for Mr Alistair Wright

Approved on 26/01/2022

Application reference: NYM/2021/0959/FL

Demolition of existing conservatory and construction of two storey side extension (revised scheme following refusal of NYM/2021/0437/FL) at Hambleton House, Over Silton for Mr Cameron Choules

Approved on 24/01/2022

Application reference: NYM/2021/0972/FL

Demolition of existing garage and construction of replacement double garage, alterations and construction of two storey extension to dwelling, realignment of boundary wall and erection of gates at The Vicarage, Coxwold for Mr & Mrs G Barker

Approved on 04/02/2022

Application reference: NYM/2021/0976/FL

Erection of detached three bay car port at Bilsdale Priory, Priory Track, Chop Gate for Mr and Mrs Miller

Approved on 27/01/2022

Application reference: NYM/2021/0977/FL

Erection of timber building for domestic recreation purposes at Bank House, Bank Lane, Faceby for Mr Alan Trehwhitt

Approved on 31/01/2022

Application reference: NYM/2021/0997/LB

Listed Building consent for stabilization works to building comprising temporary removal of 1 no. wall, propping the roof and support of a wall to prevent collapse at Hot House to south east of Busby Hall, Carlton in Cleveland for Mrs Frances Dodd

Granted on 10/02/2022

Application reference: NYM/2021/1004/EIA

Erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access

tracks and temporary change of use of agricultural field to provide construction staging area during construction phase at Bilsdale Transmitting Station, Bilsdale Moor for Arqiva Limited

Approved on 18/02/2022

Application reference: NYM/2021/1010

Demolition of existing rear conservatory and construction of single storey porch and garden room at Tannery Barn, Coxwold for Mr & Mrs D Lloyd

Approved on 17/02/2022

Ryedale

Application reference: NYM/2021/0257/FL

Erection of dairy cubicle building and milking parlour together with associated hardstanding at New Leys, New Leys Farm Road, Rievaulx for W H Dunn & Sons

Approved on 27/01/2022

Application reference: NYM/2021/0706/FL

Erection of canopy to entrance door, creation of opening to existing wall and erection of gate, alterations to front elevation of garage (to facilitate conversion) together with the erection of a garden shed at Sycamore Cottage, Old Byland for Mrs G Fieldsend

Approved on 21/01/2022

Application reference: NYM/2021/0921/FL

Enlargement of existing hallway/kitchen, replacement of window with French doors and enlargement of existing window together with construction of pitched roof over flat roof extension, installation of replacement/additional rooflights, replacement windows and door, additional window to east elevation and alterations to fenestration at ground floor level and repositioning of door to north elevation at Knipes Hall, High Street, Helmsley for Beverley Bage and Simon Herrick

Approved on 17/02/2022

Application reference: NYM/2021/0922/LB

Listed Building consent for enlargement of existing hallway/kitchen, replacement of window with French doors and enlargement of existing window together with construction of pitched roof over flat roof extension, installation of replacement/additional rooflights, replacement windows and door, additional window to east elevation and alterations to fenestration at ground floor level, repositioning of door to north elevation and internal alterations including removal/erection of stud walls at Knipes Hall, High Street, Helmsley for Beverley Bage and Simon Herrick

Granted on 17/02/2022

Application reference: NYM/2021/0958/FL

Construction of replacement single storey extension and installation of replacement doors, windows, stone window heads and cills at Woodlands, Moor Lane, Sinnington for Mr and Mrs Havelock

Approved on 21/01/2022

Application reference: NYM/2021/0971/FL

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 at The Courtyard, The Bike Barn, 2 Low Dalby Road, Thornton-Le-Dale for Dalby Forest Cycle Hub

Approved on 26/01/2022

Application reference: NYM/2021/1003/FL

Erection of estate railings to front of property at 5 Linkfoot Close, Helmsley for Mr Owen Potts

Approved on 27/01/2022

Application reference: NYM/2021/1004/EIA

Erection of 306m guyed lattice steel replacement mast, communications apparatus, anchor blocks, removal of redundant equipment cabinets, heat exchanger compound and ancillary development thereto, laying of temporary access tracks, removal of access tracks and temporary change of use of agricultural field to provide construction staging area during construction phase at Bilsdale Transmitting Station, Bilsdale Moor for Arqiva Limited

Approved on 18/02/2022

Application reference: NYM/2021/1006/FL

Variation of condition 2 (material amendment) of planning approval NYM/2019/0305/FL to allow the installation of additional window and rooflight and amended flue position at The Stables, Main Street, Oldstead for Ms Kate Lyndon

Approved on 04/02/2022

Application reference: NYM/2021/1023

Construction of storage building (part retrospective) at Helmsley Bowling Club, Baxtons Road, Helmsley for Helmsley Bowling Club

Approved on 23/02/2022

Application reference: NYM/2021/1026

Reserved matters (layout, appearance and scale) following outline approval (NYM/2019/0355/OU) for proposed sculpture ('Red House') in the form of a traditional stone building at Land to the north of Northdale Farm and east of West Gill (Red Barn), Rosedale Abbey for David Ross Foundation

Approved on 11/02/2022

Application reference: NYM/2022/0009

Use of land for the siting of 1 no. camping pod for holiday letting purposes at Keepers House Farm, Allerston High Moor Road, Langdale End for Mr M and Mrs P Cockerill

Approved on 07/03/2022

Application reference: NYM/2022/0020

Proposed concreting works to yard at Wethercote Farm, Bilsdale, Helmsley for Mr Steven Wood

Approved on 07/03/2022

Scarborough

Application reference: NYM/2021/0542/FL

Erection of first floor balcony at 11 Porret Lane, Hinderwell for Louise Britton

Refused on 25/01/2022

Application reference: NYM/2021/0652/FL

Construction of first floor extension to rear at 184 Coach Road, Sleights for Mr Colin Case

Approved on 23/02/2022

Application reference: NYM/2021/0728/FL

Use of land for the siting of 6 no. shepherds huts with associated car park (resubmission following expiration of NYM/2016/0253/FL) at Seaton Hall, Whitby Road, Staithes for Mr W Kidd

Approved on 04/03/2022

Application reference: NYM/2021/0779/FL

Creation of door opening and installation of door at Damson House, 13 Ryeland Lane, Ellerby for Mr R Wadsworth

Approved on 04/02/2022

Application reference: NYM/2021/0783/LB

Listed Building consent for creation of door opening and installation of door together with construction of stone retaining wall and creation of path at Damson House, 13 Ryeland Lane, Ellerby for Mr R Wadsworth

Granted on 04/02/2022

Application reference: NYM/2021/0792/FL

Construction of single storey extension to pavilion at Cricket Ground, Church Road, Ravenscar for Mr John Morrison

Approved on 19/01/2022

Application reference: NYM/2021/0796/FL

Removal of single storey utility/store, alterations, raising of roof height, construction of single storey extension and covered porch together with construction of replacement garage/storage building (part retrospective) at Daywell House, Ugthorpe for Mr Edwin Jowsey

Approved on 26/01/2022

Application reference: NYM/2021/0819/FL

Construction of additional building and polytunnel for horticultural purposes to serve existing educational facility for adults with learning disabilities at Meadowcroft Cottage, Ugthorpe for Meadowcroft Ugthorpe Ltd

Approved on 07/02/2022

Application reference: NYM/2021/0823/FL

Conversion of garage to holiday letting accommodation at Salt Pan Lodge, Newlands Lane, Cloughton for Mr Michael Allan

Refused on 28/01/2022

Application reference: NYM/2021/0824/LB

Listed Building consent for renovation of 2 no. sash windows to first floor together with installation of replacement timber double glazed windows at Brow Hill Cottage, Susanna Hill, Browside, Ravenscar for Mr & Mrs Ballin

Granted on 07/02/2022

Application reference: NYM/2021/0860/LB

Listed Building consent for installation of replacement roof covering to downstairs toilet and rooflights to rear together with internal alterations comprising relocation of kitchen, creation of en-suite shower room, plastering work and installation of ventilation system at Laurel Cottage, Martins Row, Robin Hoods Bay for Gelsthorpe

Granted on 07/02/2022

Application reference: NYM/2021/0869/FL

Erection of timber shed at Pasture House, Glaisdale Hall Lane, Whitby for Catherine Noble

Approved on 01/03/2022

Application reference: NYM/2021/0886/FL

Removal of a window to accommodate the installation of a medication dispensing machine at The Surgery, 53 Pickering Road, West Ayton for Mrs Pam Saltmer

Approved on 27/01/2022

Application reference: NYM/2021/0908/FL

Conversion of outbuilding to home office at Ivy Cottage, High Street, Egton for Mr G Withers

Approved on 04/02/2022

Application reference: NYM/2021/0924/FL

Variation of condition 2 of planning approval NYM/2020/0207/FL to allow the summerhouse/office building to be used as temporary residential accommodation for 12 months at South Beck House, Hackness Road, Scalby for Mr Mark Wilson

Approved on 07/02/2022

Application reference: NYM/2021/0928/CU

Change of use of agricultural land to domestic garden (retrospective), together with retention and cladding of existing shipping container and temporary siting of static caravan at Ellerby Crossing Cottage, Coverdale Lane, Mickleby for Romany Woodman

Approved on 17/02/2022

Application reference: NYM/2021/0930/FL

Construction of single storey extension at 130 High Street, Hinderwell for Mr Jonathan Jeeves

Approved on 09/02/2022

Application reference: NYM/2021/0935/FL

Demolition of existing garage and replacement conservatory, together with alterations to dwelling and construction of two storey extension at High Cragwell, Aislaby for Mr and Mrs Pearson

Approved on 23/02/2022

Application reference: NYM/2021/0937/FL

Creation of new vehicular access and closing off of 2 no. existing accesses at Rock Haven, Newlands Road, Cloughton for Mrs Angela Widdup

Refused on 04/02/2022

Application reference: NYM/2021/0938/R3

Application under Regulation 3 (Town and Country Planning General Regulations 1992) for variation of condition 1 of planning approval NYM/2017/0834/R3 to allow the siting of a storage container for a further 12 month period at 1B Langburn Bank, Castleton for North York Moors National Park Authority

Approved on 20/01/2022

Application reference: NYM/2021/0946

Installation of replacement lintel and frame to back door together with replacement timber kitchen and first floor bedroom windows at Endways, Silver Street, Robin Hoods Bay for Mr David Pearson

Approved on 02/03/2022

Application reference: NYM/2021/0947/FL

Change of use of and single storey extension to abattoir to form offices with associated parking provision at Egton Slaughterhouse, High Street, Egton for Andrew Stanforth

Approved on 04/03/2022

Application reference: NYM/2021/0948

Listed Building consent for installation of replacement lintel and frame to back door together with replacement timber kitchen and first floor bedroom windows at Endways, Silver Street, Robin Hoods Bay for Mr David Pearson

Granted on 02/03/2022

Application reference: NYM/2021/0952/FL

Demolition of garage, alterations to dwelling, construction of dormer window to front elevation and single storey rear extension at Long View, Lealholmside, Lealholm for Mr D Close

Approved on 24/01/2022

Application reference: NYM/2021/0964/FL

Change of use of land to all weather surfaced manege/turn out area together with erection of stable block at The Oaken Barn, Bell Hill Farm, Staintondale Road, Ravenscar for Kev and Tish Riley Evans

Approved on 03/03/2022

Application reference: NYM/2021/0966

Removal of timber garage, construction of replacement double garage, erection of shed/greenhouse and installation of package treatment plant in adjacent field at 2 Hayburn Beck Cottage, Staintondale Road, Cloughton for Mr Neil Watson

Approved on 23/02/2022

Application reference: NYM/2021/0970/FL

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 at land off Raikes Lane, Sneatonthorpe, Sneaton for Ms Rachel Barker

Refused on 02/02/2022

Application reference: NYM/2021/0974/FL

Excavation of site to create parking area at 4 Office Row, Grosmont for Paula Radford

Approved on 28/01/2022

Application reference: NYM/2021/0982/FL

Demolition of existing sun room, construction of a single storey extension and installation of an air source heat pump at Folly Cottage, 3 Sneaton Hall Cottages, Sneaton for Mr Richard Holdsworth and Ms Claire Marris

Approved on 27/01/2022

Application reference: NYM/2021/0990/FL

Installation of electrical charging points at The Woodlands, Sleights for The Directors

Approved on 02/02/2022

Application reference: NYM/2021/0991/LB

Listed Building consent for alterations to existing lift shaft, landing areas and plant room to form store rooms at lower ground level and ground level at The Woodlands, Sleights for The Directors

Granted on 02/02/2022

Application reference: NYM/2021/0995/FL

Change of use of guest house and annexe (use class C1) to dwelling (use class C3) at The Beacon, The Common, Goathland for Mr James Mitchell

Approved on 27/01/2022

Application reference: NYM/2021/1002

Listed Building consent for installation of replacement windows and door to rear of property and installation of vented roof tile to kitchen roof at Rosedale Cottage, 1 The Row, Iburndale for Mrs Jean Butler

Granted on 07/03/2022

Application reference: NYM/2021/1005/FL

Construction of 1 no. principal residence dwelling and garage/cart shed with associated amenity space, parking and access at land rear of Cross Farm Buildings, High Street, Egton for The Mulgrave Estate

Refused on 07/02/2022

Application reference: NYM/2021/1013/FL

Construction of replacement side extension and 2 no. dormer windows at 74 Iburndale Lane, Sleights for Mr A Little

Approved on 15/02/2022

Application reference: NYM/2021/1020

Construction of road and turning area for forestry purposes at Broxa Forest located south west of Silpho Brow Farm West, Silpho for Yorkshire Forest District

Approved on 16/02/2022

Application reference: NYM/2021/1022

Conversion of garage to form dual use holiday letting unit/residential annexe with covered porch, associated amenity space and parking at The Green, The Green, Egton for Mr & Mrs Edward Mangles

Approved on 16/02/2022

Application reference: NYM/2021/1025

Certificate of lawfulness for use of land to site campervans, motorhomes and tents for holiday use throughout 12 months of the year in excess of ten years at Middlewood Farm Holiday Park, Middlewood Lane, Fylingthorpe for Middlewood Farm Holiday Park

Issued on 17/02/2022

Application reference: NYM/2022/0001

Demolition of garage/store, construction of two storey side extension and infilling of trench to rear at 43 Brook Lane, Ainthorpe for Mr Colin Simmons

Approved on 24/02/2022

Application reference: NYM/2022/0007

Alterations, raising of roof height and construction of extension to garage to form garden room together with construction of pitched roof over entrance porch at Fern Dene, Thorpe Lane, Robin Hoods Bay for Mr E Hamilton

Approved on 08/03/2022

Redcar and Cleveland

Application reference: NYM/2021/0330/FL

Variation of condition 2 (material amendment) of planning approval NYM/2020/0178/FL to allow relocation of rooflight, omission of door and window and widening of opening to southern elevation of Building B (part retrospective) together with submission of window, door and rooflight details at Scaling Farm, Mars Lane, Scaling for Mrs Barbara Welford

Approved on 04/02/2022

Application reference: NYM/2021/0987

Construction of extension to existing changing room and extension to provide storage with terrace above together with alterations to access to building at Scaling Dam Sailing Club, Scaling Dam for Scaling Dam Sailing Club

Approved on 16/02/2022

Application reference: NYM/2022/0008

Construction of single storey extension to rear, alterations to garage to form additional living accommodation together with construction of roof canopy at 25 Goathland Grove, Guisborough for Mr R Roy

Approved on 08/03/2022

Notifications under Schedule 2, Part 6, of The Town & Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order)

Hambleton

None

Ryedale

Application reference: NYM/2021/0986/AGRP

Prior notification for erection of building over existing sheep dip, treatment and handling area under Part 6 at Dale Head Farm, Daleside Road, Rosedale East for Mr Lewis Barraclough

Approved on 02/02/2022

Scarborough

Application reference: NYM/2022/0002

Prior notification for erection of lean-to extension to existing building to house machinery under Part 6 at Washbecks, Sneaton for Mr David Thompson

Approved on 01/03/2022

Redcar and Cleveland

None

Post committee applications determined by the Director of Planning on expiry of advertisement, receipt of further amended plans and observations

Application reference: NYM/2021/0600/FL

Demolition of existing building and erection of 14 no. holiday lodges with associated internal access road, parking and landscaping works at Trig Point 49, 80 Staithes Lane, Staithes

The above planning application was approved by the Planning Committee on 10 February 2022, subject to amendments to the landscaping condition to include the

requirement to submit a maintenance plan. The decision notice has now been issued with condition 15 amended as follows:

15. Prior to the development being brought into use details of a landscaping scheme for the site and associated maintenance plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for indigenous species planting and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes, and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in accordance with the approved maintenance plan in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Application reference: NYM/2021/0647/FL

Erection of 2 no. holiday lodges with associated access, parking and landscaping works at land south of Middlewood Farm Holiday Park, Middlewood Lane, Fylingthorpe

The above planning application was approved by the Planning Committee on 10 February 2022, subject to amendments to ensure the scheme enhances biodiversity and seeks an alternative surfacing material. The decision notice has now been issued with two additional conditions and an additional informative as follows:

Conditions

15. No work shall commence to lay any hard surfaces or plant any soft landscaping for the development hereby permitted until full details of the hard surfacing and soft landscaping to be utilised on the site have been submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The landscaping works shall then be implemented in accordance with the approved details and be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

16. No work shall commence in preparation for the development hereby permitted (including any tree felling, tree pruning, demolition works, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include details of:

- i. implementation, supervision and monitoring of the approved tree protection scheme and/or tree pruning/felling specification,

- ii. implementation, supervision and monitoring of all approved construction works within any tree protection zone or otherwise protected in the approved tree protection scheme;
- iii. timing and phasing of arboricultural works in relation to the approved development and details of communication between the interested parties.

Informative

3. In connection with condition 15 above in relation to hardsurfacing, the applicant's attention is drawn to the need for a grass cellular system rather than a bitmac finish.

Application reference: NYM/2021/0747/FL

Use of land for the siting of 2no. camping pods adjacent to Lawns Farm, Ugthorpe at Lawns Farm, Barry Bank, Ugthorpe

The above planning application was approved by the Planning Committee on 10 February 2022, subject to amendments to ensure strengthening of the road frontage hedgerow and incorporation of the Woodland Officer's comments. The decision notice has been issued with an additional condition as follows:

9. No work shall commence to prepare the site for the installation of the pod(s) hereby permitted until a written arboricultural method statement has been submitted and approved by the Local Planning Authority for both; 1) the base/foundation design for the pods to sit on and 2) the servicing arrangements. The submitted base/foundation design should be of a non-dig pile and beam system to minimise the impact on the roots of nearby trees and hedges. The statement should also include an accurate and scalable plan showing the location of the larger trees and the precise location of the units, services, paths and any landscaping. The development shall only be implemented in accordance with the approved base/foundation construction methodology

Applications adjacent to the National Park (3024)

Application reference: NY/2021/0296/FUL

Demolition of an existing prefabricated classroom unit, erection of a permanent single storey pre-fabricated classroom unit with associated works including external timber ramp, landing and fence, 2no. air coil units and 8no wall mounted external lighting units, removal of trees and hard and soft landscaping at Land at Wykeham Church of England Primary School, Main Road, Wykeham

The Authority has assessed the details of the proposed development and concluded that the proposal would be unlikely to have any adverse impact on the setting of the National Park or any important views from within it, so no objections were raised. However, it was recommended that consideration is given to the proposed external lighting to ensure it is of a style and luminance which minimises glare and light pollution

with all bulbs shielded to prevent upward and minimise horizontal light spill in order to maintain the quality of the dark night skies above the National Park.

Application reference: 21/02960/FUL

Change of use of land for the siting of static caravans and camping pods at Haynes Arms Jeator Houses Kirby Sigston Northallerton

The Authority has assessed the details of the proposed development and concluded that providing light pollution from the site is minimised, the proposal would be unlikely to have any adverse impact on the setting of the National Park or any important views from within it, so no objections were raised.

However, this was providing those conditions are attached to restrict external lighting and to ensure any lighting approved is of a style and luminance which minimises glare and light pollution with all bulbs shielded to prevent upward and minimise horizontal light spill in order to maintain the quality of the dark night skies above the National Park.

Application reference: 22/00031/FUL

Erection of storage shelter for use in connection with works associated with caravan park at Overbrook Caravan Site, Station House, Maltongate, Thornton Le Dale

The Authority has assessed the details of the proposed development and concluded that the proposal would be unlikely to have any adverse impact on the setting of the National Park or any important views from within it, so no objections were raised.

Application reference: 22/00067/HOUSE

Erection of a single storey rear extension to the existing garage at 1 Thornton Heights, Thornton-Le-Dale

The Authority has assessed the details of the proposed development and concluded that the proposal would be unlikely to have any adverse impact on the setting of the National Park or any important views from within it, so no objections were raised.

Application reference: 21/02709/FL

Erection of 62 no. dwellings at land off Green Lane, Whitby

The Authority has advised that there are no objections in terms of the setting of the National Park. However, very careful attention will be required in relation to lighting – both light spill from any large areas of glazing and external lighting – in order to protect the Dark Sky reserve above the National Park.

Application reference: 22/00139/FUL

Revised application for construction of 2 No. free range egg units with associated hardstandings, feed bins, access roads, attenuation ponds and landscaping (amended

scheme of 21/00794/FUL) at Land east of Pillrigg Lane Track and south east of Moor Lane, Thornton Le Beans

The Authority has assessed the details of the proposed development and advised that there are no objections in terms of potential visual impact. However, any additional livestock buildings within 10km of the North York Moors Special Area of Conservation/Special Protection Area has to be subject to a SCAIL Assessment to ensure there will be no resultant air borne pollution (nitrogen/ammonia) arising and being deposited on the protected sites. Therefore, under the Habitats Regulations there may be an adverse impact on the North York Moors Special Area of Conservation and the applicant needs to undertake a SCAIL Assessment (Simple Calculation of Atmospheric Limits). The National Park's Special Area of Conservation is at critical loading mostly due to atmospheric pollution from sources outside the National Park.

Application reference: 21/02845/RM

Approval of reserved matters in relation to outline planning application 20/00394/OL for new housing development at Land east of Limestone Grove, Burniston

The Authority has assessed the details of the proposed development and made no objections.

Application reference: R/2022/0138/FF

Porch to front; single storey rear extension with balcony above; external covered patio to rear, 3no rooflights to front, new windows and cladding to all elevations at 2 Sandwood Park, Guisborough

The Authority has assessed the details of the proposed development and made no objections however commented that the alterations themselves are unlikely to have a detrimental impact on the setting of the National Park but external lighting and light spill from the large areas of glazing should be carefully considered – in order to protect the Dark Sky reserve above the National Park.

Application reference: R/2022/0094/FF

Detached timber shed including vehicular/pedestrian access at former allotment land south of Buccleuch Close, Guisborough

The Authority has assessed the details of the proposed development and made no objections.

Application reference: 22/00152/FUL

Change of use of agricultural land to permit the siting of 5no. touring caravans or motorhomes and 10no. tents and the erection of a replacement utility building at Warren House Farm, Warren House Road, Allerston

The Authority has assessed the details of the proposed development and advised that the National Park Authority has no objections subject to a condition being attached to control external light to ensure it is of a style and luminance which minimises glare and light pollution, in order to protect the Dark Sky Reserve above the National Park.

Appendix 3

List of enforcement matters determined by the Director of Planning in accordance with the scheme of delegation for the period of 28 January 2022 to 22 March 2022.

Reference number	Development description and site address	Decision taken
13009	Alleged removal of internal walls of a Listed Building at 36 South End, Osmotherley.	Complainant no longer had concerns.
13312	Untidy site at Laburnum Cottage, Carlton in Cleveland.	Car removed from front garden and property now sold.
14079	Use of log cabin for residential purposes and unauthorised timber storage at Bank House Farm, Chop Gate.	Planning permission granted to vary the occupation condition.
14922	Alleged unauthorised alterations to wall at land adjoining Glendevon and Hill Cottage, High Barrass, Staithes.	No further action.
15180	Alterations to a listed building at Church View, Duncombe Place, Church Street, Helmsley.	No further action.
15350	Alleged unauthorised burger van at bus stop/layby adjacent Cowbar Lane, Cowbar.	Case passed onto Redcar and Cleveland Borough Council who own the road. Permitted development as a temporary use of space.
15512	Monitoring of planning permission NYM/2018/0017/FL for suspected breach of conditions 4 and 5 at Co-op Store, 5 Whitby Road, Staithes.	No clear breach.
15622	Alleged unauthorised engineering works to create a ditch at land adjacent Old Road (Cleveland Way), Cowbar Lane, Staithes.	Not a planning matter.
15901	Alleged unauthorised repainting of render and siting of freestanding advertisements together with alleged opening beyond permitted hours at Excelsior Fisheries, Staithes	Permitted development and shop no longer opening outside of permitted hours. No freestanding adverts.
15950	Alleged parking of auction vehicles and use of showroom/motor museum for auctions which are relayed to the village hall at Mathewson's Garage and North View, Thornton le Dale.	Village Hall is no longer being used for auctions and the vehicles at North View are not expedient to pursue.
16357	Possible issues with proposed access pursuant to (NYM/2020/0021/CVC and NYM/2019/0059/FL) at land of Hinderwell Lane, Staithes.	Authorised development.

Reference number	Development description and site address	Decision taken
16660	Potentially unauthorised works at The Old Mill, Osmotherley.	Works are in accordance with approved plans under planning application NYM/2020/0074/FL.
16667	Potentially unauthorised structure at the woods behind Throston House, Shepherd Hill, Swainby.	Planning permission approved.
16734	Alleged carrying out of works which may require planning permission at Hillary Cottage, Church Street, Staithes	No breach found. The building is not Listed therefore the internal works do not require permission.
16896	Potentially unauthorised static caravan, shipping container and extension of domestic curtilage at Ellerby Crossing Cottage, Coverdale Lane, Mickleby.	Planning approval given retrospectively.
16960	Potentially unauthorised engineering works at Kirk Cottage, Church Street, Staithes.	No breach taking place.
17085	Potential change of use of land at 7 Grant Close, Osmotherley	Not considered harmful. No further action.
17194	Renewal of temporary consent NYM/2014/0739/AD at Cleveland Corner, High Street, Staithes	Not considered harmful. No further action.
17214	Potentially unauthorised demolition of front wall at 18 Bondgate, Helmsley.	Wall has been neatened up and no further works taken place. No further action required.
17240	Potentially unauthorised catering van at Helmsley Brewery.	Application submitted.
17247	Potentially unauthorised siting of touring caravans at White Hart Caravan Park, The Lane, Mickleby.	No touring caravans to the owners' knowledge. No further complaints.
17427	Potentially unauthorised excavations at Lownorth Camp, near Murk Head Farm, Harwood Dale.	No further action.
17459	Potentially unauthorised erection of extension at Low Harland Cottage, Farndale.	Not considered expedient to pursue.
17507	Loss of public car parking spaces at Whitby Holiday Park, Saltwick Bay, Whitby.	No breach of planning control was observed during the visit and the landowners have indicated that the public footpaths are open and unobstructed. At the time of the visit the parking area was open to the public and there are no restrictions on who can park there. Planning permission is in

Reference number	Development description and site address	Decision taken
		place for an alternative public parking area NYM2019/727/FL and there is a condition requiring fencing and planting to be completed in the first planting season following the completion of the new car park. On this basis it is recommended that the case is now closed.
17508	Loss of public car parking spaces at Northcliffe Holiday Park, Hawsker.	No breach of planning was observed during the site visit and the Area Ranger confirmed the public right of ways were clear and unobstructed. As this is private land it is up to the discretion of the landowner as to who is permitted to use the car park. There is no public car park at the site. It is therefore recommended that the case is closed and no further action is required.
17525	Licensing consultation at Dotty's Vintage Tea Room, Staithes	Planning application submitted for change of use under NYM/2021/0219/FL still being considered. Current enforcement enquiry 16376 open for the change of use, therefore this enquiry can be closed.
17596	Dumping of waste at Skelton Tower.	Issue resulting from lockdown. No longer a problem.
17597	Garden extension and unstable cliff at rear of Seaton Garth, Staithes.	Not overly harmful.
17619	Potentially unauthorised fixtures at Wychwood Flat, Hutton le Hole.	The items are considered relatively innocuous, hence no further action is recommended.
17641	Formation of ponds at Troutsdale Moor.	No evidence of ponds. No further action required.
17673	Monitoring of NYM/2018/0127/FL at Cropton Cabins, Moor Lane, Cropton.	Development has commenced lawfully.
17706	Monitoring use of airstrip associated with NYM/2020/0586/FL at South Moor Farm, Dalby Forest Drive, Ebberston.	No further complaints received. No evidence of activity.
17713	Potentially unauthorised spreading of spoil at area of land close to Cockmoor Hall Farm, Snainton	Not in the National Park boundary, acting authorities for that area have been notified.

Reference number	Development description and site address	Decision taken
17767	Potentially unauthorised works to a Listed Building at 36 South End, Osmotherley	Not harmful.
17792	Erection of treehouse at Graham House, 20 West End, Osmotherley.	Treehouse not considered harmful. Other works are permitted development.
17817	Expiry of temporary consent NYM/2016/0478/AD for advertisement consent for the display of one no. hanging sign and one no. fascia sign at Former Youth Club/TA Drill Hall, Carlton Lane, Helmsley	Development is not harmful and in good condition. Head of Development Management deemed expiring temporary advertisement consent is not expedient to pursue.
17828	Potential breach of planning permission/running of business at Thornton le Dale Motor Museum.	It is considered that the recent discussions and meeting with the site owners, the involvement with the Police in relation to road/pedestrian safety, the cessation of use of the Village Hall for auctions and the use of premises outside the National Park (and the possibility of a future venue elsewhere) together with the permitted development and incidental uses taking place enables this file to be closed. Should the complainant contact the Authority in the future they can be updated with these outcomes.
17832	Potential Works not in accordance with NYM/2020/0193/FL at 6 Hill Cottages, Rosedale East.	No further action required. Work permitted under NYM/2020/0193/FL.
17856	Blocking of access to Gladstone Terrace at The Ginger Pig Larder, Malton Gate, Thornton-le-Dale.	Complainant advised this is a civil matter.
17868	Street trader licensing consultations for various places in Ravenscar.	Letter sent to street trader owners informing them they need to apply for planning permission due to trading for more than fifty-six days. No further action.
17873	Shipping containers at Wayside Farm, Whitby Road, Cloughton.	Shipping containers removed from site.
17877	Potentially unauthorised building works at 3 Prospect Place, Thornton le Dale.	The works are likely to be permitted or lawful as over four years and not really visually harmful.

Reference number	Development description and site address	Decision taken
17880	Potential change of use of property at Featherstone Cottage, Newton upon Rawcliffe.	No breach found.
17915	Licensing consultation at 12 Castlegate, Helmsley.	Licensing updated.
17956	Oak tree on land behind Abbey Farm buildings, Rosedale.	Tree outside of conservation area and no Tree Preservation Order. No further complaints.
17980	Potentially unauthorised extension of farm building at Bragg Farm, Farndale.	Works not deemed to be expedient to pursue.
18021	Renewal of temporary consent NYM/2016/0690/AD advertisement consent for the display of four non-illuminated fascia sign, two internally illuminated logo signs and five non-illuminated wall mounted aluminium panel signs at Co-op Store, 5 Whitby Road, Staithes.	No further action required.
18035	Unauthorised advertisement at St Hilda's Farm, High Street, Hinderwell.	Permitted advertisement size.
18213	Expiry of temporary consent NYM/2017/0834/R3 for temporary siting of a storage container under Regulation 3 (Town and Country Planning General Regulations 1992) at Unit 1b Langburns Bank, Castleton.	Temporary planning permission renewed.
18240	Potentially unauthorised installation of roof extractor at The Blackwell Ox, Main Street, Carlton in Cleveland.	Concerning vent changed to a smaller, more fitting vent similar to the previous style.
18261	Potential breach of planning condition of approval NYM-029-0223-EU at Fisherhead Car Park, Robin Hoods Bay.	No breach found.
18291	Expiry of temporary consent of NYM/2018/0830/FL for siting of a storage container with timber screen and access path at car park to the south of The Courtyard, Low Dalby, Thornton le Dale.	Planning permission received for siting for a further ten years under NYM/2021/0971/FL.
18325	Potentially unauthorised fencing on verge of Castlegate, East Ayton.	Permitted development carried out by the Parish Council.
18406	Expiry of temporary consent NYM/2017/0136/AD for the display of one no. illuminated hanging sign and illumination of existing fascia sign to shop frontage at Nisa Local, Thornton le Dale.	Head of Development Management deemed expiring temporary advertisement consent is not expedient to pursue.

Reference number	Development description and site address	Decision taken
18447	Potentially unauthorised post and wire fence at rear of Kirk Cottage, Staithes.	Civil matter and not deemed harmful enough for a full investigation.
18455	Potentially unauthorised works to barn at Rose Cottage, Fangdale Beck.	Permitted development.
18481	Expiration of temporary consent NYM/2017/0202/AD for the display of one no. non illuminated hanging sign and fascia signs to shop frontage and elevation at 18 Market Place, Helmsley.	Head of Development Management deemed expiring temporary advertisement consent is not expedient to pursue.
18565	Monitoring of NYM/2018/0043/FL at Hill Farm, Littlebeck.	No breach found.
18582	Potential breach of planning condition 2 of planning approval NYM/2021/0482/CU at Highfield, High Hawsker.	No further action.
18594	Potentially unauthorised building works at the Arm and Hammer, Hutton le Hole.	No further action.

Appendix 4

A list of the number of planning applications which were validated over 13 weeks ago. Position as of 15 March 2022.

Please note that the documentation for each of the Authority's applications listed in this report can be found by clicking on the application reference number.

Application reference number: NYM/2011/0800/CLE

Certificate of lawfulness for use of land for the siting of a static caravan for holiday use in excess of ten years at Summerfield Farm Hawsker

Case officer: Mrs Helen Stephenson

Reason: Being dealt with by the Authority's Solicitor

Application reference number: NYM/2017/0455/FL

Change of use and extension to existing agricultural building to allow use for livestock and siting of feed bin at Manor Farm, Gillamoor

Case officer: Mrs Jill Bastow

Reason: The need for a Section 106 Agreement is being considered by the case officer and the Authority's Solicitor

Application reference number: NYM/2018/0039/FL

Construction of 4 no. dwellings with associated access, parking, garage/car ports, amenity space and landscaping works at land to the west of Byland Road, Coxwold

Case officer: Mrs Hilary Saunders

Reason: Awaiting Section 106 Agreement

Application reference number: NYM/2019/0324/FL

Surfacing works to agricultural track (retrospective) at land serving Thorn Hill Farm, Commondale

Case officer: Mrs Helen Stephenson

Reason: Awaiting further information from applicant's agent. Final request issued – agent has responded and the information is to be submitted

Application reference number: NYM/2019/0349/FL/LB

Listed Building consent for alterations to enable subdivision of dwelling to form 1 no. additional dwelling together with erection of fence at High Farmhouse, High Farm, High Street, Lythe

Case officer: Mrs Hilary Saunders

Reason: No response from agent regarding negotiations. Applicant has completed works so awaiting enforcement and Building Conservation site visit

Application reference number: NYM/2019/0404/NM

Non material amendment to planning approval NYM3/007/0005C/MR to allow changes to the restoration plan to include the addition of restored contours, network of additional access tracks, additional labels and the retention of borehole building, former gun store, 2 water tanks and former electrician substation at Spaunton Quarry, Keldholme, Kirkbymoorside

Case officer: Mr Mark Hill

Reason: Ecology details now finalised, awaiting a revised plan to omit a quarry building before approval can be issued to realise restoration masterplan concept

Application reference number: NYM/2019/0502/LB

Listed Building consent for installation of replacement windows to dwelling at High Leas, Hawsker Lane, Hawsker

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2019/0668/LB

Listed Building consent for installation of French drainage system together with the installation of replacement windows at Queen Catherine Hotel, 7 West End, Osmotherley

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans

Application reference number: NYM/2019/0764/MEIA

Application in respect of the winning and working of polyhalite and salt over a 25 year period from 2023, temporary importation of muriate of potash (MOP) to allow the production of fertiliser products until 2027, retention and operation of all surface installations, buildings, plant etc subject to a phased deconstruction plan within the 25 year period and a three year period for site decommissioning and restoration at the end of the 25 year period at Boulby Mine, Loftus

Case officer: Mr Mark Hill

Reason: Approved at 2 December 2021 Planning Committee meeting. Awaiting completion of Section 106 Agreement

Application reference number: NYM/2019/0832/FL

Proposed repairs to roads and tracks and creation of new tracks for agricultural and forestry purposes (part retrospective) at land at Newgate Farm, Hackness

Case officer: Mrs Jill Bastow

Reason: Amended plans received and under consideration; will be reported to a future Planning Committee

Application reference number: NYM/2020/0087/FL

Alterations, construction of replacement single storey rear extension and change of use from residential care facility (Use Class C2) to recording studio space with ancillary office and welfare facilities (Use Class B1) together with construction of bin store, revised access arrangement, creation of parking and landscaping works at The Bay Tree, Station Road, Robin Hood's Bay

Case officer: Mrs Jill Bastow

Reason: Amended plans requested and declined; delegated decision to be drafted

Application reference number: NYM/2020/0092/LB

Listed Building consent for alteration and construction of replacement single storey rear extension at The Bay Tree, Station Road, Robin Hood's Bay

Case officer: Mrs Jill Bastow

Reason: Amended plans requested and declined; delegated decision to be drafted

Application reference number: NYM/2020/0443/FL

Conversion of existing redundant agricultural buildings to 2 no. cottages (dual use (holiday letting/local occupancy letting) with associated access, parking and landscaping works at Greenhills, High Lane, Robin Hoods Bay

Case officer: Mrs Hilary Saunders

Reason: Awaiting Section 106 Agreement

Application reference number: NYM/2020/0441/FL

Change of use of land to accommodate parking and turning areas at Skelder View, Fern Lea, Normanby

Case officer: Mrs Jill Bastow

Reason: Awaiting additional and amended plans

Application reference number: NYM/2020/0454/FL

Erection of general purpose agricultural building for purposes for straw and farm machinery storage only (no livestock) at land west of Little Field Lane, Levisham

Case officer: Mrs Hilary Saunders

Reason: SCAIL Assessment was required – plans now revised to remove livestock – ready to write delegated report

Application reference number: NYM/2020/0488/FL

Construction of tree house for holiday letting accommodation at Stainsacre Hall, Stainsacre Lane, Whitby

Case officer: Mrs Jill Bastow

Reason: Awaiting Tree Survey and amended plans

Application reference number: NYM/2020/0500/FL

Variation of conditions 2 (material amendment), 4, 5 & 6 of planning approval NYM/2015/0826/FL to allow revisions to internal layout in relation to shop, cafe and multi-use/training room and change of external window to door, the sale of new bikes and local goods (part retrospective) at Fryup Gill Farm, Yorkshire Cycle Hub, Fryup

Case officer: Mr Mark Hill

Reason: Variation to Section 106 Agreement agreed at 2 December 2021 Planning Committee meeting. Awaiting completion of Section 106 Agreement

Application reference number: NYM/2020/0598/FL

Demolition of 4 no. buildings and erection of an open fronted agricultural storage building at Taylor Hill Farm, Stape Road, Stape

Case officer: Mrs Jill Bastow

Reason: Awaiting bat survey

Application reference number: NYM/2020/0702/FL

Erection of 10 no. single storey lodges to provide woodland rooms ancillary to existing Hotel with associated linkage paths at Raithwaite Estate, Sandsend Road, Sandsend

Case officer: Mrs Hilary Saunders

Reason: Awaiting further amended plans

Application reference number: NYM/2020/0950/FL

Erection of cattle shed at Westfield Lodge, Yan Brow, Hutton le Hole

Case officer: Mrs Helen Stephenson

Reason: Awaiting advice from Natural England

Application reference number: NYM/2020/0951/FL

Creation of lake at land to the south of Newgate Farm, Rice Gate, Hackness

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans and additional information

Application reference number: NYM/2020/1017/FL

Conversion of domestic store to holiday cottage, erection of fence, location of an oil boiler and tank and construction of detached store (revised scheme to planning approval NYM/2019/0393/FL) (part retrospective) at The Old Blacksmiths, Bank Bottom, High Street, Staithes

Case officer: Miss Megan O'Mara

Reason: Awaiting Officer to write the delegated report

Application reference number: NYM/2021/0122/FL

Use of land for the siting of 5 no. glamping tents and erection of washroom/ancillary building at St Thomas Island, adjacent The Horseshoe Hotel, Egton Bridge

Case officer: Miss Megan O'Mara

Reason: Awaiting Tree Survey and amended plans

Application reference number: NYM/2021/0161/FL

Repairs/maintenance and alterations to and construction of agricultural buildings (part retrospective) at High Buildings, Fryup Dale Head, Fryup

Case officer: Mr Mark Hill

Reason: Amended plans and further negotiation needed

Application reference number: NYM/2021/0170/FL

Alterations and construction of rear dormer window at 27 High Street, Hinderwell

Case officer: Miss Megan O'Mara

Reason: Applicant has asked for application to be put on hold whilst they decide the next steps

Application reference number: NYM/2021/0175/FL

Alterations, construction of single storey side extension and replacement detached garage at 2 Railway Cottages, Goathland

Case officer: Mr Mark Hill

Reason: Committee site visit took place 25 March 2022. Application to be brought back to Members at 7 April 2022 Planning Committee meeting

Application reference number: NYM/2021/0219/FL

Change of use of shop (Use Class E(a)) to cafe/bistro (Use Class E(b)) and installation of awnings (part retrospective) at Dotty's Vintage Tearoom, 28 High Street, Staithes

Case officer: Miss Megan O'Mara

Reason: Awaiting amended awning details

Application reference number: NYM/2021/0241/FL

Conversion of redundant farm building to form 2 no. holiday letting cottages with associated landscaping, parking and amended driveway at Thirlsey Farm, Suffield

Case officer: Mrs Hilary Saunders

Reason: Need to resolve Environment Agency issues

Application reference number: NYM/2021/0254/CLE

Certificate of lawfulness for use of land for the siting of 6 no. caravans for holiday purposes in excess of ten years at Bridge Farm, Langdale End, Scarborough

Case officer: Mrs Jill Bastow

Reason: Under consideration

Application reference number: NYM/2021/0263/LB

Listed Building consent for rebuilding of south-east spandrel wall using existing stone at Beck Hole Bridge

Case officer: Miss Megan O'Mara

Reason: Awaiting amended details and methodology

Application reference number: NYM/2021/0312/FL

Alterations and construction of two storey rear extension at Flither Cottage, 4 High Street, Staithes

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans – likely to be refused

Application reference number: NYM/2021/0320/FL

Erection of pergola to provide covered outdoor seating area, change of operating hours of premises and siting of chiller unit with timber screening (retrospective) at 18 Bridge Street, Helmsley

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0367/FL

Change of use and alterations to barn to form camping barn together with installation of package sewage treatment plant at Birch Hagg Barn, Off Lund Road, Farndale

Case officer: Mrs Helen Stephenson

Reason: Awaiting further information from the applicant's agent

Application reference number: NYM/2021/0374/FL

Erection of notice board and name board at Sinnington Village Hall, The Green, Sinnington

Case officer: Miss Kelsey Blain

Reason: Awaiting re-consultation responses and amended plans

Application reference number: NYM/2021/0384/FL

Erection of replacement agricultural livestock building at Toad Hall, Daleside Road, Farndale

Case officer: Mrs Helen Stephenson

Reason: In negotiation regarding tree constraints

Application reference number: NYM/2021/0532/FL

Construction of storage/office building with associated parking and landscaping works at Windhill Farm, Bentley Buildings, Glaisdale

Case officer: Mrs Hilary Saunders

Reason: Awaiting amended plans and justification for proposal

Application reference number: NYM/2021/0551/FL

Alterations and construction of two storey side extension following demolition of existing single storey extension at Finisterre, Mount Pleasant North, Robin Hoods Bay

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0561/LB

Listed Building consent for installation of 22 no. replacement windows, 6 no. replacement doors and 1 no. replacement concrete lintel together with re-pointing works at Forge Cottage, Lead Lane, Nether Silton

Case officer: Miss Kelsey Blain

Reason: Awaiting amended plans

Application reference number: NYM/2021/0571/LB

Listed Building consent for replacement guttering, relocation of extractor, removal of exterior lighting (excluding lights above porch and back door), painting of front door and garage door, re-rendering works, repair/maintenance of stonework, installation of chimney pots to 3 no. stacks and repair works together with internal alterations including but not limited to opening up of boxing of truss and ceiling in utility, replacement door, works to fireplace in dining room, plaster works, reinstatement of wall and fireplace and removal of wall at Holme Farmhouse, Battersby

Case officer: Miss Kelsey Blain

Reason: Awaiting re-consultation response

Application reference number: NYM/2021/0609/RM

Reserved matters (access, appearance, layout and landscaping) following outline approval for the construction of 1 no. dormer bungalow at Land adjacent to The Bungalow, 1 Beckdale Road, Helmsley

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0597/FL

Alterations and construction of single and two storey extensions together with first floor balcony following demolition of existing garage and conservatory at 6 Prospect Field, High Hawsker, Whitby

Case officer: Mrs Jill Bastow

Reason: To be considered at 7 April 2022 Planning Committee meeting

Application reference number: NYM/2021/0651/NM

Non material amendment to planning approval NYM/2021/0053/FL to allow omission of basement, omission of internal mezzanine floors, omission of north-facing high level windows to mezzanine floors, addition of roof window over room G3 and addition of paired roof windows over rooms G8 and G10 at Land to the south of Stone Garth, Helmsley

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0671/FL

Demolition of bungalow and construction of 1 no. dwelling with associated access path and air source heat pump at Woodbine Cottage, Kilburn

Case officer: Mrs Helen Stephenson

Reason: Awaiting confirmation of the location of Yorkshire Water infrastructure

Application reference number: NYM/2021/0735/FL

Alterations and extensions to dwelling, demolition of outbuilding and construction of double garage together with conversion of existing garage to form 1 no. annexe/holiday let and erection of gazebo at Church Bank House, Church Lane, Ingleby Greenhow

Case officer: Miss Megan O'Mara

Reason: Awaiting bat survey

Application reference number: NYM/2021/0750/FL

Erection of building to cover existing manure store/silage clamp at Church Farm, Kilburn

Case officer: Mrs Helen Stephenson

Reason: Awaiting consultation comments in response to the submission of further information

Application reference number: NYM/2021/0765/LB

Listed Building consent for subdivision of dwelling and conversion of adjoining barns to form two units of annexe accommodation ancillary to existing farmhouse at Wood Hill House, Stonegate

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans

Application reference number: NYM/2021/0763/FL

Subdivision of dwelling and conversion of adjoining barns to form two units of annexe accommodation ancillary to existing farmhouse at Wood Hill House, Stonegate

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans

Application reference number: NYM/2021/0764/LB

Listed Building consent for consolidation of the redundant and dilapidated buildings comprising reduction in height to a structurally safe level, minor repair works, soft capping and removal of surplus stone and other materials at Bumper Castle, Hawnby

Case officer: Mrs Jill Bastow

Reason: Historic England objection, need to discuss reasons for refusal

Application reference number: NYM/2021/0768/FL

Construction of 1 no. dwelling with associated access and parking at Spout House, Daleside Road, Farndale West

Case officer: Mrs Hilary Saunders

Reason: Awaiting amended plans

Application reference number: NYM/2021/0773/LB

Listed Building consent for the painting of window sills and lintels, fascia boards and doors at The Buck Inn, Chestnut Avenue, Thornton-Le-Dale

Case officer: Miss Lucy Gibson

Reason: Amended plans received and under consideration

Application reference number: NYM/2021/0808/FL

Construction of single storey extension at Low Paper Mill Barn, Ellerburn Road, Thornton le Dale

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0876/FL

Removal of garage, construction of garden room, porch and link extension to store together with alterations to create annexe accommodation at Foulseyke House, Foulseyke Farm, Fylingdales

Case officer: Mrs Hilary Saunders

Reason: Negotiations and amended plans now received

Application reference number: NYM/2021/0889/FL

Conversion of attached outbuilding to 1 no. holiday let with associated parking at Holm Garth, Richardsons Row, Newholm

Case officer: Miss Megan O'Mara

Reason: Awaiting bat survey

Application reference number: NYM/2021/0899/LB

Listed Building consent for installation of replacement timber windows, rooflights and cast iron guttering and downpipes together with removal of satellite dish and relocation of internal boiler stack at North Farm, Over Silton

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans

Application reference number: NYM/2021/0918/LB

Listed Building consent for conversion of redundant building to form 1 no. dwelling with associated parking and landscaping works at North Farm, Over Silton

Case officer: Miss Megan O'Mara

Reason: Awaiting amended plans

Application reference number: NYM/2021/0923/OU

Outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access at land north east and east of High Street, Egton

Case officer: Mrs Hilary Saunders

Reason: To be considered at 7 April 2022 Planning Committee meeting

Application reference number: NYM/2021/0943/LB

Listed Building consent for installation of replacement timber windows to front elevation, construction of replacement and additional dormer window to rear elevation, remedial works to guttering and soil pipe together with installation of air extraction unit at The Anchorage, High Street, Staithes

Case officer: Miss Kelsey Blain

Reason: Awaiting amended plans and re-consultation response

Application reference number: NYM/2021/0942/FL

Installation of replacement timber windows to front elevation, construction of replacement and additional dormer window to rear elevation together with installation of air extraction unit at The Anchorage, High Street, Staithes

Case officer: Miss Kelsey Blain

Reason: Awaiting amended plans and re-consultation response

Application reference number: NYM/2021/0945/FL

Alterations and construction of single storey and first floor extensions at Cliff Cote, Prospect Field, Robin Hoods Bay

Case officer: Mrs Jill Bastow

Reason: Awaiting amended plans

Application reference number: NYM/2021/0954/FL

Use of land for camping and construction of ancillary building together with temporary siting of 2 no. portable amenity units pending completion of building at Peat Rigg Outdoor Training Centre, Sutherland Lane, Cropton

Case officer: Mrs Hilary Saunders

Reason: Resolving tree issues – awaiting amended plans

Application reference number: NYM/2021/0955/FL

Re-rendering, replacement roof coverings, rainwater goods, windows and door, alterations to dormer window and removal of coal shed roof at Sea Crest, High Street, Staithes

Case officer: Miss Kelsey Blain

Reason: Awaiting amended plans and re-consultation responses

Application reference number: NYM/2021/0960/LB

Listed Building consent for re-rendering, replacement roof coverings, rainwater goods, windows and door, alterations to dormer window and removal of coal shed roof together with internal works comprising replastering, removal of fire surround and installation of log burner at Sea Crest, High Street, Staithes

Case officer: Miss Kelsey Blain

Reason: Awaiting amended plans and re-consultation responses

Item 8, List of planning applications together with the Director of Planning's recommendations

The time period for responses to consultations/publicity carried out on individual applications may not have expired before the given closing date for such responses to be reported to the committee meeting. Any responses received within the various specified consultation periods but not reported to the meeting will be taken into account. If such responses are contrary to the Committee's resolution and raise new matters the application will be presented for reconsideration by the Committee at a future meeting.

The background papers taken into account when considering planning applications on this list include all or some of the following items. Items 1 to 4 are included on the file for each individual application.

1. Application: includes, the application form, certificates under Section 65 of the Town and Country Planning Act 1990, plans, and any further supporting information submitted with the application.
2. Further correspondence with applicant, including any amendments to the application: includes any letters to the applicant/agent with respect to the application and any further correspondence submitted by the applicant/agent together with any revised details and/or plans.
3. Letters from Statutory Bodies – includes any relevant letters to and from the District Councils, Parish Councils, Departments of North Yorkshire County Council, Water Authorities and other public bodies and societies.
4. Letters from Private Individuals – includes any relevant letters to and from members of the public with respect to the application.
5. Statutory Plans and Informal Policy Documents – some or all of the following documents will comprise general background papers taken into account in considering planning applications in the National Park. The Plans listed under (b), (c) and (d) comprise the Development Plan which forms the basis for determining planning applications

Statutory Plans:

- a) North York Moors National Park Management Plan – December 2016
- b) North York Moors Local Plan Adopted July 2020
- c) Helmsley Local Plan – July 2015
- d) Whitby Business Park Area Action Plan (2014) and Design Brief (2016)
- e) Ingleby Arncliffe Neighbourhood Plan – December 2021
- f) Minerals and Waste Joint Plan - 21 March 2022

Supplementary Planning Documents (SPD):

- g) Renewable Energy SPD (April 2010)
- h) Design Guide SPD
- i) Osmotherley and Thimbleby Village Design Statement SPD (2011)
- j) Ampleforth Conservation Area Appraisal & Management Plan SPD
- k) Oswaldkirk Conservaton Area Appraisal & Management Plan SPD (2011)
- l) Hutton Buscel Village Design Statement (2010)

North York Moors National Park Authority

Plans list item 1, Planning Committee report 07 April 2022

Application reference number: NYM/2021/0923/OU

Development description: outline application for construction of 9 no. dwellings with associated accesses, parking and amenity spaces together with public car park and mixed use industrial units with associated access

Site address: land north east and east of High Street, Egton Parish: Egton

Case officer: Mrs Hilary Saunders

Applicant: Egton and Mulgrave Estates

Agent: Compass Point Planning and Rural Consultants fao: Ms Andrea Long, The Old Vicarage, Vicarage Square, Lythe, Whitby, North Yorkshire, YO21 3RW

Director of Planning's Recommendation

Refusal for the following reason(s)

Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The site is considered to lie outside of the main built up part of the settlement of Egton and does not constitute a suitable small site as defined by Strategic Policy M and Policy CO7 of the North York Moors Local Plan in that the site is not located within the main built up part of the village and does not fit in with the existing pattern and form of the settlement. If permitted, this development would represent harmful sporadic development and extend outwards the main built up form of the village to the detriment of the character of the environment and landscape of this part of the North York Moors National Park.
2	The site proposed for industrial units is considered to lie outside of the main built up part of the settlement of Egton and does not comprise the re-use of or small extension to an existing building. Furthermore, it has not been demonstrated that the proposed industrial units would not result in noise disturbance that would be detrimental to the amenities of occupiers of existing or proposed residential properties. If permitted this proposal would be of a scale and in a location that would have a detrimental impact on the character of the locality and residential amenity contrary to Policy BL1 of the NYM Local Plan.

Refusal reason code	Refusal reason text
3	The site of the proposed car park is on agricultural land outside the main built up part of the settlement and would have a detrimental impact on the character of the locality. Furthermore, there is no adequate justification that the proposed car park would meet an identified parking problem need or benefit both the community and visitors to the National Park. The proposal would therefore be contrary to Policy CO3 of the NYM Local Plan.
4	The proposal development would be located on the edge of the Egton Conservation Area in an area which contributes positively to its historical values and would go beyond the development limits of the village, negatively impacting the existing archaeology evident on the HER and LiDAR. Furthermore, the proposed design/layout of the housing, including features such as parking to the front, would not follow the form and grain of Egton, and would be very suburban in design and out of character with the locality. The proposal is therefore not suitable for such a prominent site in a North York Moors village, particularly given that it is also the gateway to a conservation area and its development would be to the detriment of the conservation area, contrary to NYM Local Plan Strategic Policy I and Policy ENV11.
5	The proposed development would be contrary to Policy CO2 of the NYM Local Plan as the proposal includes a layout that has the potential to create situations that are prejudicial to highway safety.
6	If approved, the proposal would make it increasingly difficult for the Local Planning Authority to resist future applications for new housing on inappropriate sites which would cumulatively pose a significant threat to the character, special qualities and distinctiveness of the more rural settlements of the National Park and therefore have a detrimental impact on the wider landscape of the National Park, contrary to the aims of Strategic Policy B of the North York Moors Local Plan.

Photo showing view of site as approach Egton from the north



Consultation responses

Parish

Note: -The Parish Council has advised with regards to the following representation that personal and potentially prejudicial interests were not declared at the meeting – but this has been done subsequently. However, the Parish Council has decided not to re-consider the application at a new meeting.

Consequently, as proper process was not followed, whilst accepting the Parish Council response, this response has been given less weight in the planning considerations because of this.

Comments

Object – The proposals are contrary to the Strategic Policies of the Local Plan - Strategic Policies A, B, C and D and also Strategic Policy G, K and ENV1, ENV2, ENV9, CO7, CO2, CO3.

Proposals for major development shall be refused except in exceptional circumstances. This is a major development within the rural setting of Egton and there are no exceptional reasons for the application to be accepted.

There is no compelling reason why this large number of industrial units are suited to such a rural setting. The industrial units would be more suited to a business park in Whitby.

The car park is proposed only because the existing car park would become an access road for nine large dwellings, all built on green fields.

The development will have a visually negative impact on Egton and views over the moors. The development would be visible from the main road into Egton and would change the whole feel of the approach to the village. It would block views across the fields to Grosmont and Eskdaleside and views across the fields and landscape from the footpath and public right of way that lead from the centre of the village across fields down to the east of Egton.

Development is not within the main built up part of the village and would materially expand the historic form of Egton, destroying field boundaries and archaeological landscapes (ridge and furrow) that have been in place for many centuries.

Development would be visually intrusive, cause significant noise and light pollution and all three aspects of the application would increase activity levels, increase traffic in the village, leading to more parking problems. This would have a detrimental impact on the tranquillity of the village.

Egton already has three significant industrial activities which already cause noise, light pollution and traffic and parking issues in the village. The proposed new car park would not be big enough to accommodate all parking in the current car park, and the users of the industrial units. Furthermore, there would also be additional lorries arriving to deliver

supplies to the industrial units. Increasing the amount of industrial activity in Egton is wholly unwarranted and would change the nature of the village.

No assessment of any actual need for these industrial units, and this appears to be entirely speculative.

Cross Farm Buildings (owned by Mulgrave Estate) has been available for rent for light industrial use over the last 20-30 years and has been empty more than in use. The fact that Mulgrave Estate have gained, planning approval to turn it into a dwelling, demonstrates that there is very little demand for industrial units in Egton.

Parish Council are aware that there are a number of industrial units at Davison's Farm. This could be the focus for location of additional industrial units if there is a demand.

12 houses (new build or conversion) have been approved recently in Egton exceeding Egton's ratio contribution to the total development target as set out in the Local Plan for the whole 19 year period. This planning application for a further nine houses is therefore entirely unnecessary.

It is unlikely that the new car park would accommodate the total number of cars that currently park in the village. There would also be increased pressure on parking in the village from users of the proposed industrial units and their customers and suppliers.

Users of the recreation ground are unlikely to use the new car park and will park on the road by the recreation ground. Loss of the existing car park would therefore have a detrimental impact on the enjoyment and use of the recreation ground. It would also increase the likelihood of further parking on the road by the recreation ground.

The proposed development is not within the main built up area of the village and they are not classed as affordable homes so not in line with the Local Plan.

At the edge of the current car park there are a row of mature trees, including Oak and Sycamore. These are visible as one walks up the unclassified road from Eastwell Cottage to the east of Egton. These trees would go, and the view would be of a line of houses, instead of the trees. The loss of the trees would unbalance the current pleasing entrance to the village. It would also have a negative impact on biodiversity. It would also look like a suburban street, with all the houses made of similar materials, with drives and garages. This would not blend in with the predominant building style in Egton which is of terraced housing.

Additional lighting would have a detrimental impact on the dark skies that the North York Moors are known for.

Egton Showfield - the loss of very significant part of the showfield would make the Egton Show unviable on the current site. If the show did move, it would have to move outside of the village, potentially up to two miles from Egton. The Egton Show is a key element of what defines Egton as a village. The Egton Show is the biggest show of its kind in the area and is part and parcel of the culture and reputation of Egton and the North York Moors National Park.

Conclusion

The housing development does not meet the strategic policies set out in the Local Plan; the proposed car park is only needed if the existing car park is turned into an access road for the new houses. The outline of uses of the industrial units is not suitable for a rural village environment.

The Parish Council accepts that some development is of course necessary within the National Park, but this needs to be balanced against the impact on this important landscape and the culture and communities. The planning application lacks any balance in terms of scale or sensitivity to the environment within which it is proposed and should therefore be refused.

The Parish Council strongly recommend that the planning department visit the proposed site to fully appreciate the negative impact this would have on the community of Egton.

Highways

The existing lay-by is not currently maintainable highway at public expense (MH@PE). The proposed layout does not conform to the North Yorkshire County Council highway design and specification. Consequently, the Local Highway Authority recommends that Planning Permission is REFUSED for the following reason:

The proposed development includes a layout that has the potential to create situations that are prejudicial to highway safety.

Residential Regulation Manager, Scarborough Borough Council

Cannot support this application as this would only be permitted under current policy if it were an exception site for affordable housing; this does not appear to be the case with this proposal.

Housing Strategy and Development Officer Scarborough Borough Council

Object. We understand that this proposal is located outside the built up area of the village and as such should only be considered as an exception site for affordable housing.

We note that only market housing is proposed and no affordable housing by the applicant. As a result, we object to this proposal on the above grounds.

Natural England

No objection

Lead Local Flood Authority

The submitted documents are limited and the Lead Local Flood Authority recommends that the applicant provides further information before any planning permission is granted by the Local Planning Authority.

Yorkshire Water

No objections subject to conditions

Environmental Health

Have reservations with regard to the possibility of noise disturbance not only to the proposed residential development but also to existing residential properties from the proposed mixed industrial units.

Before I may offer my observations, I would request that you require a report from a competent individual/organisation giving details of the noise impact of the proposed industrial units on the proposed and existing residential properties, particularly those to the south of the site on the road running east off the High Street and which have line of sight across an open field. The report shall detail any mitigation measures which are to be incorporated into the site design and which the applicant wants the Local Planning Authority to take into consideration when determining the suitability of the development.

North Yorkshire Police Designing Out Crime Officer

Should outline planning permission be granted I would ask the Authority to place a condition on it, requiring full details of what crime prevention measures are to be incorporated into the site, be detailed in any reserved matters application.

North Yorkshire Fire & Rescue

No comments/observations

CPRE North Yorkshire

Object - The site is located adjacent to the main built-up area of the linear settlement of Egton. The planning statement submitted does not refer to any locally identified need nor the fact that this should be considered a 100% affordable exception site. As such the proposal is fundamentally contrary to policy. CPRE North Yorkshire cannot support the proposal which would inevitably extend the village into the open countryside beyond the main built form.

0.4Ha of the site is proposed to be for light industry/offices and storage facilities – again, there appears to be no justification of local/community need.

A new access road is to be created to serve the car park and the industrial units beyond but also access to the agricultural field which the applicant has relocated. There is some support for new car parks in the Local Plan via Policy CO3, however, it is not sufficient for the applicant to state that there are no known impacts of constructing a carpark on this site in terms of the natural environment or heritage without commissioning the appropriate studies to evidence this. Further, the Environment Act now requires all new proposals to deliver a minimum measurable net gain in biodiversity of 10% across the site. The Planning statement alludes to the fact it will be possible to deliver net gains but

offers no information as to how this would be achieved, and no metrics have been demonstrated.

The CPRE North Yorkshire, therefore, assert that the proposed location cannot constitute previously developed land and do not support the principle of a large-scale mixed use development on this greenfield site as it is contrary to policies contained within the National Park Authority's adopted Local Plan, primarily that the dwellings are located beyond the main built up part of the village with no justification of local need or proposal for 100% affordable housing exception site. The applicant has not provided sufficient evidence to determine that the proposals will not harm the natural environment or heritage assets adjacent to this location.

Campaign for National Parks

No comments received

North Yorkshire Moors Association

No comments received

Police – Traffic

No comments received

Environment Agency

No comments received

Third party responses

All of the following people object for all or some of the following reasons

I Woodcock, Dale View, Egton

P Foster, 15 Park View, Glaisdale

A Higgins, Eastwell Cottage, Egton

J Raw, 4 Esk View, Egton

C Pickard, 11 Esk View, Egton

P Grayson, The Forge, High Street, Egton

R Grayson, The Forge, High Street, Egton

M & A Jefferies, Abbotsford, Egton Lane, Egton

G Swann, Cross View Cottage, Egton

M Grant, 28a, Cleveland St, Guisborough

H Birch, 23 The Avenue, Castle Park, Whitby

A Birch, 32 Cliff Road, Staithes

P Newton, Cottage, 4 Wheatsheaf, Egton

A Pink, 55 Bentinck Avenue, Middlesbrough

P Smith, 2 Browns Wood Cottages, Egton

J Wood, 16 Browns Wood Cottages, Egton

A Cockrem, 6 Brownswood Cottages, Egton

S Crosby, The Old Piggery, Egton Bridge

NYM/2021/0923/OU

N Tucker, Chestnut house, Egton

J Jones, Oakley view cottage, Windhill, Glaisdale

P Stentiford, The Witching Post Inn, Egton

J Godbold, Director, Godbold Blacksmiths Ltd, Forge Garage, Egton

J Harrison, 20 Esk Valley, Grosmont

S & L Shaw, Flushing Meadow, Egton

J Goodchild, Local, Newstead farm, Egton

T Bailey, Kirkdale, Egton

K Colley, Linden Grove, Egton

- Outside main built up part of village.
- There is already a problem through the village with speeding vehicles which causes a dangerous situation for vehicles exiting and entering the village.
- The existing significant traffic and parking issues in the village is caused by the needs of the three businesses in Egton.
- Impact on Dark skies special quality of the National Park.
- Noise pollution.
- Industrial units would destroy ridge and furrow farming features - visible archaeology that links Egton to its past farming practices.
- Proposed car park is in a remote area away from public view so will not be utilised. This will inevitably increase parking on the verges in the village. Already an adequate car park which is well used.
- Local Plan states seek to protect open countryside from inappropriate housing development and that any new development must be within the main built up area of a village. Generally, they would be sites suitable for no more than five dwellings. This proposed development is in open countryside on green belt land and totals nine properties.
- Egton Show would have to be relocated to another venue outside the village which would be detrimental to both the culture and community of Egton, despite having been held on the showfield for some 130 years. Brings in good business for the x four pubs in the village.
- Large development which will have a significant impact upon the village.
- Site is not a brownfield site but Egton showfield. No identified need for industrial unit's or housing and inappropriate in small rural village Egton had one small industrial unit for many years, half the time or more it was not used and now Mulgrave Estate have got change of use on it with plans to make into a house, so does the village really need these industrial units. Ironically when applying for planning permission and stating there is a need for more business/office space, that the 'applicant' is actively removing industrial sites from the 'market' and converting them to additional holiday accommodation.

- The development would have a serious detrimental impact on the privacy of the occupiers of adjacent dwelling.
- Loss of habitat for nature (mice and voles so loss of food for owls and other birds of prey).
- Contrary to Policy C07 – not in continuously built up part of village and not a brownfield site.
- The proposed development of 9 no. houses cannot be described as in-fill. The built form of Egton extends from the church in the south to the garage in the north. It does not include the application site.
- Not sustainable -there are no food shops within walking distance of the proposed development area. The nearest are at Grosmont and Egton Bridge.
- Detrimental impact on residential amenity – adjacent dwelling would be overlooked. The proposed garden of the end house would also wrap around the garden of Flushing Meadow. The scale, massing and form of the dwelling would seriously reduce amenity of rear garden and the house.
- Large dwellings are proposed that would not be in line with the strategic policy on housing, along with the number of units proposed.
- Conservation of the village will be compromised by the design of the proposed dwellings, with their driveways and garages.
- The setting of the Conservation Area will be further compromised. Brown's Wood Cottages have already eroded the character and this development would have an even more substantial impact.
- How does a design that resembles a suburban street of semi-detached houses with drives and garages fit in with the character of the rest of the village?
- Local farmers are currently struggling to rent or buy grazing land in the area.
- Existing sewerage system is failing to cope at present and has had two major blockages in the past three years, causing disruption to local residents and businesses.
- Affordable housing for local people is more appropriate, if in fact we need any more houses at all.
- Flood risk report is inaccurate – where the new car park, houses and gardens are shown is where the field floods after heavy rain or snow thawing.
- Villages do need to have employment diversity for residents, and that there needs to be some industry, retail and service opportunities. However, Egton is well served with its current sites for job/business opportunities.

J Duthart, Jemsideas Ltd, F10, St Hilda's Business Centre, The Ropery, Whitby - This would be a great benefit for many local first time buyers and proposal for industrial/office units is a fantastic idea. With the lack of opportunities available, existing and new businesses have little prospect to prosper or even commence.

Whilst some may think this is unsuitable for the area, Hutton Le Hole has offered such opportunities for years which also attracts tourists.

I cannot comment if the proposed site is the right one, but I sincerely hope in the very near future the National Park will consider a similar development for the Esk Valley.

Consultation expiry

30 December 2021

Background

The application site is located just outside the Egton Conservation Area and comprises primarily an open field located at the northern edge of the village. The field forms part of the Egton Showfield and the western strip of the site provides a parking layby which is separated from the field by a mature tree and hedge line.

Egton itself is classed as a 'Larger Village' in the settlement hierarchy set out in the North York Moors Local Plan.

The site is bounded to the east by agricultural land, to the south by the built up part of the village and to the north by two outlying dwellings.

Further to the west, and across the main road that leads through the village is a terrace of affordable residential dwellings which were approved as an exception site for affordable housing.

This planning application seeks outline permission for the construction of nine dwellings; new industrial units, the construction of a new village car park and a pumping station.

Housing – Nine new dwellings are proposed in a linear formation fronting the road stretching between the main built up part of the village and the outlying properties known as Flushing Meadow and Abbotsford. The frontage of the site measures approximately 138m.

This area of land comprises the existing tarmacked layby used for car parking, an established tree/hedge boundary and part of the adjacent agricultural field to the east which forms part of the Egton Show field. The layby was formerly leased to Scarborough Borough Council for a car park, but the lease was surrendered by the tenant in February 2020.

Industrial Units - The proposal industrial area would be located in the field to the rear (east) of the current commercial garage. A new access road would be created alongside the northern boundary of the garage to serve the industrial area, proposed car park, pumping station and to allow for access to the field. The proposed area of industrial land is approximately 0.4h.

It is set out within the application details that as the application is in outline there are no specific units proposed although the proposed uses would be largely those that were

formerly B1 Light Industrial (and are now E (g) Uses which can be carried out in a residential area without detriment to its amenity:

- E(g)(i) Offices to carry out any operational or administrative functions,
- E(g)(ii) Research and development of products or processes
- E(g)(iii) Industrial processes

In addition, there could be potentially some B2 general industrial units.

Car Park – This would be located southeast of the proposed housing area and immediately north of the existing Egton garage and workshop. It would utilise the southern end of the agricultural field. The car park could have approximately 40 parking spaces and would be used by cars that would usually park in the layby.

The car park would be accessed by using the existing field access directly south of the proposed housing area and would allow for access to the proposed industrial area.

In support of the application the applicant's agent has submitted the following comments:

- A number of the concerns raised can be satisfactorily addressed and we also believe that rather than considering the proposal as a balanced sustainable proposal, too much weight has been placed on the individual elements in isolation.
- Egton Show - many assume that the Egton Show will not continue. This is not true. The Egton Show Committee have found an alternative site to host the show.
- Furthermore, the Egton show takes place for one day per annum. The scope of Strategic Policy L would also appear to exclude the Show. It would therefore seem unreasonable to refuse this application on the assumption that it would result in the loss of the one day Egton Show.
- Car Park - this will be within very close proximity to local facilities and services where it can be easily used by the community and visitors. There is an historic parking problem in this part of Egton and the vehicles significantly detract from the character of the Conservation Area. The current parking in the layby is conditional and by permission of the Egton Estate. The proposal increases parking capacity. Policy CO3 does not explicitly require evidence of need for the car park and there are no other suitable sites in this part of Egton that could accommodate a relocated car park without being more prominently located within the Conservation Area.
- By creating a specific landscaped village car park that is set back from the highway, there is the potential to reduce the current level of informal on street parking and verge parking that takes place within the Conservation Area.
- Housing - This proposal provides for both housing (principal residence) in a larger village and therefore is wholly compliant with this policy. This is considered to be in conformity with Policy CO7 in that it proposes small scale Principal Residence housing on a suitable, partially brownfield small site in the built-up area of a defined Larger Village. The proposal is located within the main settlement part of Egton

which is the area stretching from the recreation ground in the north to the school in the south. The proposal is not within an outlying hamlet or lower order settlement such as Egton Bridge.

- Policy CO7 does not define suitable sites, and this is left to the supporting text. This proposal which is a gap within an otherwise built-up frontage does fit in with the existing pattern of development which is linear, largely road frontage, facing and single plot in width. The proposal does not involve the consolidation of sporadic outlying development, nor is it located within a distinctively separate hamlet some distance removed from the main core of the village.
- The housing element of the proposal is therefore in accordance with the adopted Local Plan.
- Employment/Industrial Use - The application provides for a comprehensive sustainable development in accordance with Strategic Policy B. This proposal provides for employment opportunities in a larger village and therefore is wholly, compliant with this policy.
- The proposal is located within the main built-up area of the Egton which is identified as a larger village in the settlement hierarchy and the proposed employment area forms a logical extension to an existing employment area.
- Both the Egton and Mulgrave Estates are regularly approached by new businesses and existing businesses in the area who are seeking to expand or require new premises. Whilst there are businesses which happily occupy traditional farm buildings, they are not suitable for all and therefore the investment in new buildings by the Estates that is presented by this proposal is wholly consistent with Strategic Policy K.
- It is acknowledged that this is a significant proposal for the National Park, but it is also a sustainable one. The comprehensive benefits of the scheme are a significant material consideration in this application and the planning authority is at liberty to give significant weight to these in the determination of the application.
- We are also aware of concerns raised by the Highway Authority and have had discussions directly with them in order to address their objections. A revised layout is being produced to address these points.

Main issues

Local Plan

The most relevant policies contained in the NYM Local Plan are as follows: -

Strategic Policy B (Spatial Strategy)

This sets out how development will be guided by the settlement hierarchy including that in the larger villages additional housing (principal residence and affordable housing), employment and training premises and new facilities and services for the immediate and wider locality will be supported and that in the open countryside development will only be

permitted where development reuses a building of architectural or historic interest; where there is an essential need to meet the needs of farming, forestry and other rural enterprise or land management activities; where it is essential to meet social or community needs and there are no other suitable and available locations within villages; where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins); where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.

Strategic Policy M (Housing)

Seeks to ensure the delivery of new homes to help meet the needs of local communities and includes delivery through development of principal residence dwellings on suitable small sites in larger 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. Affordable housing schemes will be encouraged in larger and smaller villages through rural exception sites.

Policy C07 (Housing in Larger Villages)

This sets out that in larger villages such as Egton, principal residence housing will only be permitted on suitable small sites within the main built up area of the village, with proposals meeting the need for smaller dwellings and generally being sites capable of accommodation no more than five dwellings.

Policy BL1 (Employment and Training Development)

Sets out that development of new employment facilities will only be permitted within the main built up areas of 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. It goes on to state that all proposals 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.

Strategic Policy I (The Historic Environment)

Seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy ENV11 (Historic Settlements and Built Heritage)

This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any

loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park

Policy CO2 (Highways)

This only permits new development where it is of a scale which the adjacent road network has the capacity to serve without detriment to highway safety; the external design and layout and associated surfacing works take into account, as appropriate, the needs of all users including cyclists, walkers, horse riders and users of mobility aids; and highway detailing, road improvements and street furniture are sensitive to the character, heritage, built form and materials of the area, the need to conserve and enhance biodiversity and are the minimum required to achieve safe access.

Policy CO3 (Car Parks)

This states that new parking facilities will only be permitted where it is the only way to solve existing identified parking problems; it will benefit the needs of both communities and visitors to the National Park; it uses an existing or previously developed site unless it can be demonstrated that no such suitable sites are available.

National Planning Policy Framework

Planning law requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) does not change the statutory status of the Development Plan as the starting point for decision making but is an important material consideration in the determination of an application.

Development that accords with an up-to-date Local Plan should be approved, and conversely development that conflicts should be refused unless other material considerations indicate otherwise. The North York Moors Local Plan (NYMLP) was adopted on 27 July 2020 under the provisions of the Town and Country Planning (Local Planning) (England) Regulations 2012 and does not conflict with national policies in the NPPF. It is therefore up-to-date and should be the starting point for any planning decision making in the North York Moors National Park.

The Government's commitment to the protection of National Parks is clearly set out in the NPPF (July 2021). Paragraph 176 says that great weight should be given to conserving landscape and scenic beauty in National Parks, which have the highest status of protection.

Furthermore, whilst at the heart of the NPPF is a presumption in favour of sustainable development, Paragraph 176 also confirms that the scale and extent of development within these designated areas should be limited. It is clear therefore that the NPPF

expects a different approach to be taken in National Parks both to plan making and decision taking compared with other areas outside of designated National Parks.

Para 78 sets out that in rural areas, planning policies and decisions should be responsive to local circumstances and support housing developments that reflect local needs.

Local planning authorities should support opportunities to bring forward rural exception sites that will provide affordable housing to meet identified local needs and consider whether allowing some market housing on these sites would help to facilitate this.

Material considerations

Site setting and departure from policy

The proposed development site occupies a substantial open field located beyond the last development on the northern side of the road and which forms the end of the built up part of the village of Egton. To the west is more recent residential development that was approved as an exception site on land outside the main built up part of the village. Approximately 138m to the north of the commercial garage which forms the last building in the main built up part of the village, are two outlying residential properties which are surrounded on all sides by agricultural land with the recreation ground on the opposite side of the road to the west.

This site creates an open verdant space which imparts a 'soft' edge to the village, and which is looked out across from the public right of way that runs from east to west immediately to the south. Its development would create a much more urban and 'hard' edge to this important entrance gateway to the village.

Housing development

As set out above, the application site is not considered to be within the main built up part of the village of Egton, nor is it a brownfield site, just a narrow strip of hard surfaced land, being used as a car parking area, with the majority comprising undeveloped agricultural land.

Furthermore, the proposed site is not considered to comprise a suitable small site within the main built up area of the settlement, with a frontage of over 130m in length separating the last development in the built part of the village and the two outlying residential properties.

The supporting text to Policy CO7 states that proposals must relate well to the form and grain of the existing surrounding residential development. The site is located beyond the northern edge of the built up part of the village. This space significantly changes the character of this edge of Egton, from the built up area of the village, to the more open countryside. This space therefore makes a positive contribution to the setting of Egton, its overall form and character, and provides important views out into the surrounding countryside. Quite clearly this land is part of the open countryside surrounding Egton rather than part of its built form.

In view of this, the proposal is considered to be contrary to the Authority's spatial housing policies, which seek to resist the consolidation of sporadic outlying development and does not meet the definition of a site that is suitable for housing development.

Industrial units

Again, the site is outside the main built up part of the village of Egton, doesn't re-use or form a small extension to existing buildings. The proposal is therefore contrary to the criteria set out in Policy BL1 of the North York Moors Local Plan.

In addition, Environmental Health has expressed concerns with regard to the possibility of noise disturbance to both the proposed and existing residential development.

Furthermore, in the last year the applicants have gained planning permission to convert two ranges of barns into principal residence accommodation (five dwellings in total).

One of these ranges had had previous planning permission in place for conversion to five office units, the other with a previous permission for light industrial uses.

No convincing justification has been put forward to override the above adopted Local Plan policies.

Car park

The site proposed is agricultural land and as with the proposed industrial units, it is not considered that there is adequate justification that the proposed car park would benefit identified needs of both the community and visitors to the National Park.

Impact on setting of Conservation Area

The proposal for nine houses, a car park and industrial units are located on the edge of the Egton Conservation Area. Egton is characterised by grassy verges, traditional architecture and openness.

The proposed mixed industrial units would go beyond the development limits of the village and would negatively impact the existing archaeology evident on the Historic Environment Record (HER) and LiDAR. It is clear that this area contributes positively to the historical values of the conservation area and the story of Egton as a whole. Its development would be to the detriment of the Conservation Area.

Whilst the HER indicates that the area to the north where the housing is proposed is possibly where 12th century Egton was situated, this has never been verified. The proposed design of the housing does not follow the form and grain of Egton, the pattern/layout of development alongside features such as parking to the front is very suburban in design and not at all suitable for such a prominent site in a North York Moors village, particularly given that it is also the gateway to a Conservation Area. The proposals are therefore considered to be contrary to Strategic Policy I and ENV11.

The area is used at the show field and as such has communal values for the residents of Egton. Communal values are also linked to the Conservation Area as the village and as

such the loss of this space would be to the detriment of the communal values of the site and the Conservation Area.

Ecology

This application proposes the development of over 1ha of greenfield land, currently largely improved grassland, along with intact and remnant sections of hedging. All hedge lines and sections of remnant hedging appear to be of long standing based on a brief comparison with historic maps, and therefore may feature as of cultural or archaeological importance as well as potentially of ecological importance. No ecological information has been provided in support of the application.

A Preliminary Ecological Appraisal of the site has not been submitted in order to assess the existing habitats and potential for species present. Such an appraisal should include a detailed appraisal of existing and remnant hedgerows for their importance.

A considerable extent of hardstanding would also be created as part of the proposal, and the applicant hasn't demonstrated that increased rates of run-off as a consequence can be adequately attenuated to prevent impacts water levels on surrounding areas and watercourses.

Conclusion

The proposal is contrary to Strategic Policies B, M and I and Policies CO7, BL1, ENV11, CO2, and CO3 of the adopted NYM Local Plan in that it does not constitute a suitable site within the main built up part of the village of Egton, would have a detrimental impact on the setting of the Conservation Area, be detrimental to highway safety and it has not been demonstrated that there is a justified need for a car park on undeveloped land. In the context of such significant conflict with the development plan and consequential harm to landscape and the character of Egton the proposed scheme is recommended for refusal.

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.

North York Moors National Park Authority

Plans list item 2, Planning Committee report 07 April 2022

Application reference number: NYM/2022/0057

Development description: construction of replacement dormer window together with erection of decking

Site address: Appletree Cottage, Whitby Road, Robin Hoods Bay Parish: Fylingdales

Case officer: Mrs Jill Bastow

Applicant: Mr Martin Povey, Appletree Cottage, Whitby Road, Robin Hoods Bay, Whitby, YO22 4PD

Agent: Ian Hazard Architects, Cayley Court, fao: Mr Ian Hazard, Hopper Hill Road, Scarborough Business Park, Scarborough, YO11 3YJ

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: Document Description, Document Number., Date Received Proposed Plans, 21047-30-000, 11 March 2022 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	MATS00	No work shall commence on the construction of the replacement dormer hereby permitted until details of the metal and timber cladding, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.

Condition number	Condition code	Condition text
4	GACS00	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All lighting fixtures should be shielded/fully cut off to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.

Informative(s)

Informative number	Informative code	Informative text
1	MISINF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

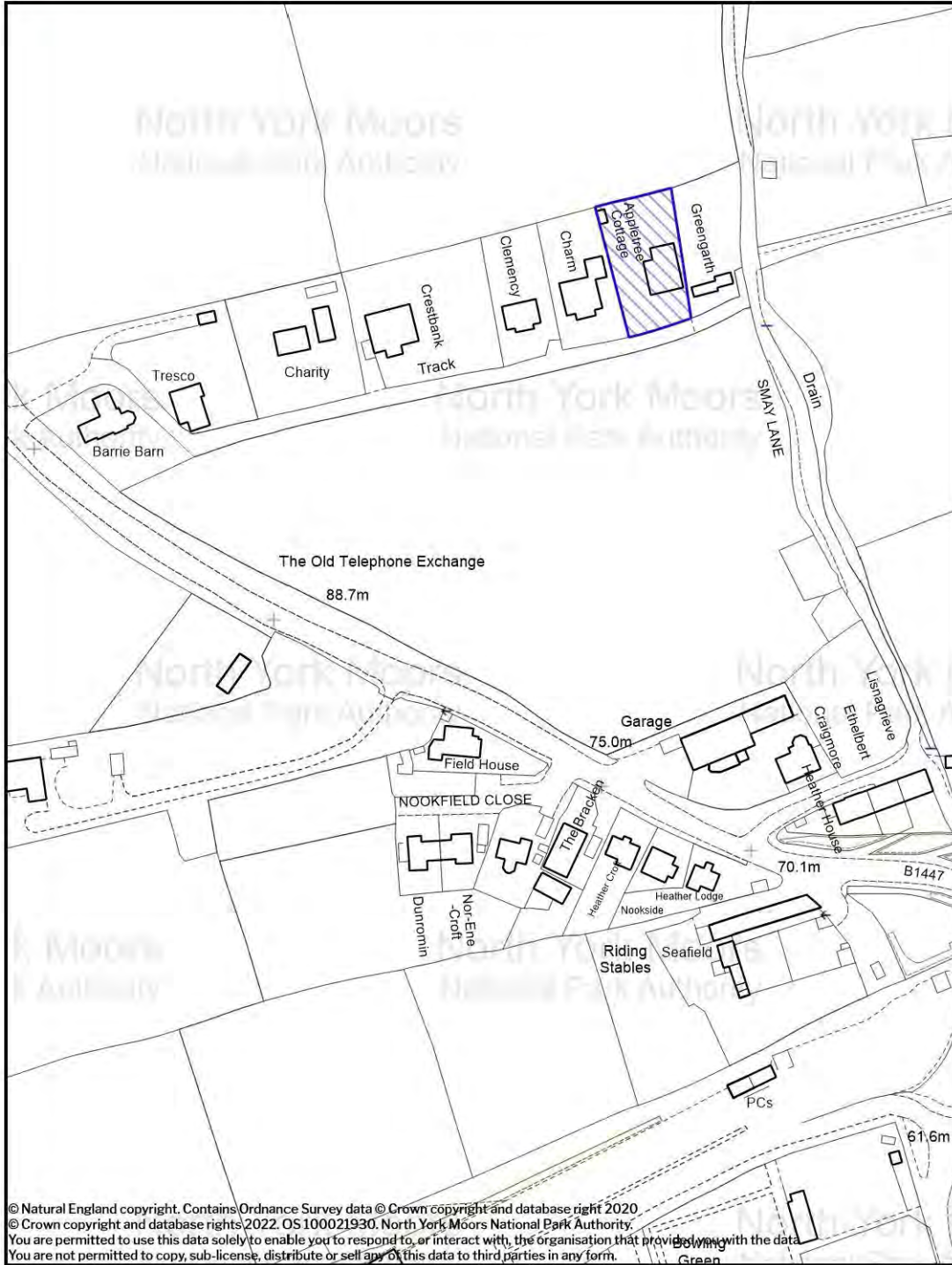
Map showing application site



North York Moors National Park

Application Number: NYM/2022/0057

Scale: 1:1500



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Photo showing front elevation of the property with the dormer and raised decking areas to be replaced



Consultation responses

Parish

Amended Plans: No comments received.

Original Plans: The alteration is too drastic and dominates the bungalow. It is disproportionate to the original structure.

Environmental Health

No objections

Third party responses

No comments received

Consultation expiry

2 March 2022

Background

Appletree Cottage is situated towards the end of a private lane serving eight properties on the east side of Whitby Road as it heads north out of Robin Hoods Bay. It is a cream rendered detached dormer bungalow with a red plain clay tiled roof with white uPVC dormers. The track falls away steeply to the east of the property such that its ground floor level is at ridge height of the neighbouring property. Given the sloping garden there are raised decking areas outside the principal windows to the front (south) elevation.

Planning permission is sought to replace the existing dormer to the front elevation with one that is slightly wider, and which comes slightly further down the roof slope. Rather than having rendered cheeks and uPVC windows it is proposed that the new dormer would have metal and timber cladding with aluminium framed window. It is also proposed to renovate the fenestration of the property at ground floor levels, replacing the white uPVC windows with larger aluminium framed windows and areas of timber cladding although these works do not require planning permission.

The application also seeks planning permission for external works to the front garden comprising an area of timber decking to provide an outside seating area, stepping down to follow the natural gradient of the garden. This would replace the existing raised decking to the principal windows to the front elevation.

Several of the properties in the locality have been remodelled in recent years.

Main issues

Local Plan

The relevant policies of the adopted Local Plan in the determination of this application are considered to be **Strategic Policy C** (Quality and Design of Development) and **CO17** (Householder Development).

Strategic Policy C states that in order to maintain and enhance the distinctive character of the National Park, development will be supported where the proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide; incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building; and is of a scale, height, massing and form compatible with the surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.

Policy CO17 requires that new development does not detract from the character and form of the original dwelling or its setting in the landscape by virtue of its scale, height, form, position and design; does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and reflects the principles outlined in the Authority's Design Guide.

In addition, the policy requires that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; and that the design and detailing should complement the architectural form and character of the original dwelling.

Principle

The property has already been extended to the side and rear to provide additional living and bedroom accommodation such that the threshold of 30% as set out in Policy CO17 has been exceeded to a significant degree. Therefore, the proposal to replace the existing dormer with a large one would increase the habitable floor area further contrary to Policy CO17. However, the additional floor area only amounts to 1.5 square metres and would simply make the bedroom in the attic space more useable rather than creating an additional bedroom. As such the property would remain a three-bedroom one and the proposed enlarged dormer would have little impact on its relative affordability.

Design

The Authority's Design Guide does advise against large flat roof box dormers, particularly to front elevations where they can dominate the property giving a horizontal emphasis. It advises that more traditional small scale dormers, which are well related to the size, position and glazing pattern of the existing windows are most appropriate. The existing flat roof dormer is relatively small in scale and does not dominate the front elevation.

As originally submitted the proposal was to replace the existing dormer with a much larger design and it was considered that this would dominate the front roof slope and appear out of scale with the host property. However, the proportions of the dormer have been reduced such that although it is still larger than the existing structure it will sit much more comfortably within the existing roof slope. The submitted plans indicate the intention to renovate the property, alternating the ground floor fenestration to the front elevation from smaller windows to larger areas of glazing with areas of timber boarding to give the property a more contemporary design. The replacement dormer would complement this design ethos.

Furthermore, it is noted that some of the neighbouring properties along this private lane have also been renovated in a more modern, contemporary manner and it is considered that these proposals for Appletree Cottage would be in keeping with the evolving character and appearance of the immediate area.

Residential amenity

The proposed replacement dormer would not cause any overlooking of neighbouring property given that it would be to the front (south) elevations facing out over the fields.

The proposed decking area to the front garden providing an outdoor seating area has potential to cause some overlooking of the neighbouring property to the east which lies at a much lower level. However, the decking would follow the natural slope of the land, stepping down in a south-easterly direction to minimise its height and overall visual impact. Where the decking adjoins the property and is therefore at a higher level, a timber screen fence is proposed to the east elevation to ensure privacy for the neighbours. Therefore, given the separation distance between the two properties, the proposed screen fencing and the established boundary hedge, it is not considered that the decking area would cause any loss of residential amenity to the occupiers of the neighbouring property.

Conclusion

It is considered that the proposed replacement dormer along with the alterations to the ground floor fenestration and the proposed decking area all complement each other to give this property a more modern contemporary design. The enlarged dormer would not dominate the front elevation and is considered appropriate in terms of its scale, massing, form, materials and design detailing. The proposals therefore comply with the principles in the Authority's Design Guide and the design criteria of Policy CO17.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy E3 which seeks to ensure that new development does not have a detrimental impact on the landscape of the National Park and Policy C10 which seeks to ensure that all new development is of a high quality design.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

North York Moors National Park Authority

Plans list item 3, Planning Committee report 07 April 2022

Application reference number: NYM/2021/0175/FL

Development description: alterations, construction of single storey side extension and replacement detached garage

Site address: 2 Railway Cottages, Goathland Parish: Goathland

Case officer: Mr Mark Hill

Applicant: Mr R Wood, 2 Railway Cottages, Goathland, Whitby, YO22 5NJ

Agent: BHD Partnership Ltd, Airy Hill Manor, Waterstead Lane, Whitby, North Yorkshire, 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	Whilst the revised plans incorporate a mix of contrasting and traditional materials, the design of the proposed 'side' extension is considered poor in terms of design quality and takes little account of the historical significance of the host property. As such the revised design would not accord with the requirements for Strategic Policy I and Policy CO17 and the principle of development to the side is particularly harmful as it upsets the visual balance and symmetry with the neighbouring property. In addition, the proposed additional floor area of approximately 50% would be likely to harm the mix of dwelling types needed to sustain balance communities. There are no overriding public benefits which would outweigh the harm identified to the historical significance of this undesignated heritage asset and loss of smaller dwellings.
2	Given the associated history and the architectural design of the existing building, its modest proportions, symmetry and features; any poorly designed extension would be considered to harm the special qualities of the building, its significance and setting within the Conservation Area and therefore the proposed extension is not considered to accord with the requirements of Strategic Policy I. There are no overriding public benefits which would outweigh the harm identified to the character and appearance of the Conservation Area.

NYM/2021/0175/FL

Map showing application site



North York Moors
National Park
Authority

Application Number: NYM/2021/0175/FL

Scale: 1:1250

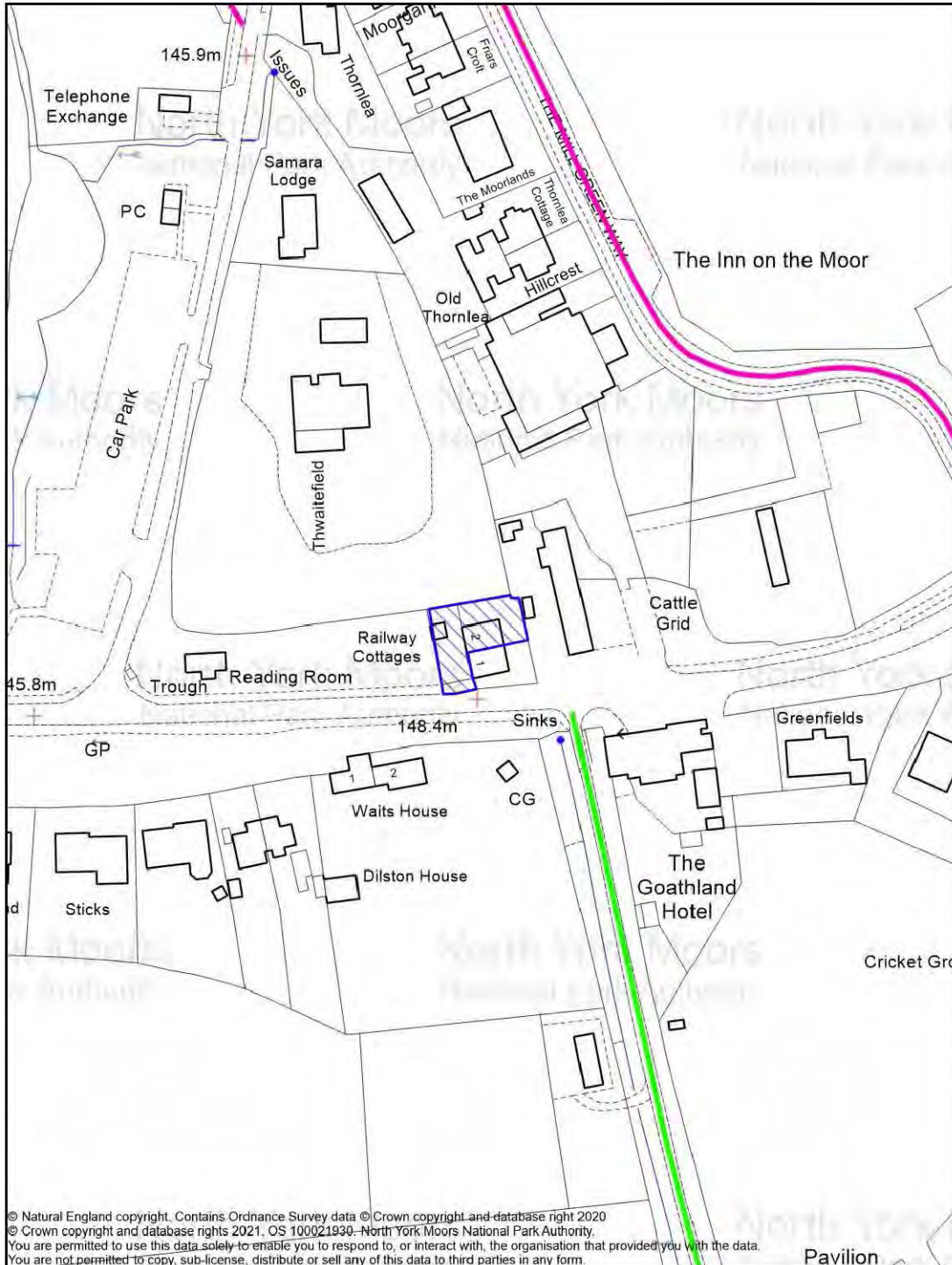


Photo of property and garage to be replaced



Front of property and adjacent garage located on the former railway line



Consultation responses

Parish

I would like to confirm the Parish Council support this application with no objections. Ward member – Cllr Guy Coulson

Feel the proposed design lends itself well to the original design and will ensure it is suitable for the applicants' needs to be able to carry on living there.

Natural England

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites.

Third party responses

Nicola Atkinson/Ian Thompson, Inn On The Moor, Goathland

Support the application and will attend the Committee site visit.

Mark Howlett, 1 Railway Cottage, Goathland

I support the application. I feel the plans show a sympathetic and modest extension to the property offering the 72-year-old occupant more of a practical living space for them in their advancing years. There would be very little if practically any great alteration to the street landscape and it is not overlooked by any other neighbouring properties.

Consultation expiry

18 May 2021

Background

1 and 2 Railway Cottages are a pair of semi-detached properties constructed of stone and which now have a concrete tile roof, although this is likely to have previously been slate. The property has decorative buttresses and tall gable dormer details to the front and a cat-slide style roof extension to the rear and rear porch. Both of the pair of properties and the garage/workshop to the front of them, which is located on the former railway line are owned by the applicant. Originally, the domestic garage was proposed to be replaced under this application, it has now been removed from the application to deal with concerns about impact of construction on adjacent trees.

The only planning history attached to the property is for the existing porch in 1983 and an extension to this in 1993.

The application supporting documentation states that the extension will create an additional living space, including a ground floor bedroom with shower room. This will allow for a more usable and inclusive living environment, which will specifically help the occupier's quality of life. It goes on to state that the garden room will form a more suitably designed extension, which ties in with the traditional property appearance. The materials

NYM/2021/0175/FL

to be used, natural stone walls and tiled roof, are proposed to ensure a more sympathetic design than the more recent conservatory.

This application originally sought approval for the construction of a single storey side and rear garden room extension in a 'wrap around' design and replacement detached garage, at 2 Railway Cottages, Goathland, located at the centre of the Goathland Conservation Area.

At the July 2021 Planning Committee, Officers presented the application for refusal of planning permission based on three concerns, the impacts of the wrap around extension on the symmetry/balance of the paired semi-detached railway themed design and the village Conservation Area together with potential impact on trees from moving the garage rearwards with no accompanying arboriculture report. Members resolved that the proposed wrap-around design including side extension would be harmful to the property and its setting but felt that some form of extension was capable of being designed to reduce the heritage impact and deferred the application for further officer negotiations. Officers have since worked with the agent. Whilst some improvement has been achieved from improved fenestration, removal of wrap-around design and inclusion of less bulky contrasting materials the fundamental issue of not having a 'side' extension (to avoid discord in terms of the symmetry of the properties) could not be resolved. The applicants are seeking a downstairs bedroom and having a bedroom block the whole of the kitchen does not work for them, so they have asked that the application be determined as improved, to allow consideration of a possible appeal or dropping the plans completely.

At the February 2022 Planning Committee, officers re-presented the recommendation for refusal having failed to negotiate a revised proposal omitting any side extension, which officers consider unacceptable in principle because of the impact on balance/symmetry. Following lengthy discussions, Members resolved a committee site inspection to see the site and its context to appreciate whether some form of side extension could be accommodated without undue impact on the character and appearance and symmetry of the dwelling. That visit took place on the 25 March 2022.

The agent has written in support of the application stating that:

We feel it is very unusual to prevent a Non-Designated Heritage Asset from being extended in a way which seems to be your Authority's preferred approach in your Design Guide. The extension is set back from the front to ensure the outline of the main elevation including buttresses presents its original appearance. The clients are very disappointed that some form of side extension will not be permitted. Members asked officers to discuss an alternative design for the extension. The applicants have agreed to omit the 'wraparound feature' have agreed to contemporary materials /design to reduce its bulk. However, officers have not moved on the placing of the extension on the side elevation, saying it must be on the rear. Feel this is not within the spirit of what Members advised officers to do and request the current revised side extension to be approved.

Main issues

The main issues relating to this application are the principle of extension of the host property and the design of the extension proposed. The relevant policies are Strategic **Policy I, Policy C017** and the guidance found within the Authority's Design Guide.

Local Plan

Strategic Policy I - The Historic Environment states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area, including:

Features that contribute to the wider historic landscape character of the North York Moors National Park such as the legacy of features associated with the area's industrial, farming, fishing and monastic past.

The vernacular building styles, materials and the form and layout of the historic built environment including Conservation Areas, Listed Buildings and regionally or locally important non-designated structures and buildings.

Policy C017 - Householder Development states that development within the domestic curtilage of dwellings should take full account of the character of the local area, the special qualities of the National Park and will only be permitted where:

- The scale, height, form, position, and design of the new development do not detract from the character and form of the original dwelling or its setting in the landscape.
- The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and
- The development reflects the principles outlined in the Authority's Design Guide.
- The design and detailing should complement the architectural form and character of the original dwelling and any new roofline should respect the form and symmetry of the original dwelling.
- Extensions should not increase dwelling floorspace by more than 30% to retain a mix of dwelling sizes. In the case of existing outbuildings and the development of new outbuildings, the following criteria must also be met:
 - i. The outbuilding should be required for purposes incidental to the residential use of the main dwelling.
 - ii. Any new or extended outbuilding should be proportionate in size and clearly subservient to the main dwelling.
 - iii. New outbuildings should be located in close proximity to existing buildings.

Conservation implications

The property is one half of a pair of railway cottages associated with the Whitby to Pickering Railway (WPR). The railway cottages are situated along the alignment of the first and second phase of the WPR railway which took in an incline between Beck Hole and Goathland Bank Top. This railway was established in the 1830s as a horse drawn railway designed by George Stephenson. The railway line was later bought by George Hudson in 1846 as part of the York North Midland Railway. At this time the line was converted to lightweight locomotives which required that the line be substantially altered to accommodate locomotives. As locomotive technology progressed there was less need for an incline. The incline between Beck Hole and Goathland was perilous and following an accident it was closed and the deviation line was constructed in 1865. The 1865 deviation line connected with the early line between Grosmont and Esk Valley to the north and 2km south of Goathland to the south. As such the former line that passed through Goathland became redundant.

The property exhibits architectural qualities that are typical of railway architecture.

However, more specifically it has certain features such as the relieving arches which are typical of known railway architect GT Andrews. Very similar architectural features are exhibited on nearby Grosmont Railway Station which is known to be designed by GT Andrews as part of the upgrading of the line by George Hudson in the 1840s. Given the design elements and the geographical location it is reasonable to conclude that the building was part of the 1845 developments of the line and has association with George Hudson and GT Andrews.

None of the above appears to have been assessed or is even discussed in the Heritage Statement, nor are the historic environment local polices referenced. The minimum requirement for Heritage Statements in the NPPF is that the Historic Environment Record be consulted, this also does not appear to have been complied with. A good Heritage Statement is a way of understanding our heritage assets and their significance in order to facilitate sympathetic development.

The building derives historical significance from its association with railway heritage, and the importance it plays within the Goathland Conservation Area and the wider heritage railway network that comprises the North Yorkshire Moors Railway. It has evidential value as dating to a small period in time. It also derives significance from its architectural and artistic interest from its form and the symmetry between this building and that of the adjoining cottage, the pallet of materials and the modest proportions of the time. Although there have been some unsympathetic additions that appear to date from the latter half of the 20th century these are quite minor and do not interrupt appreciation of the buildings as a pair. The buildings as a pair are heritage assets in themselves (although undesignated) but they also make a positive contribution to and occupy a prominent position within the Goathland Conservation Area which is a designated heritage asset. They also make a positive contribution to the setting of other nearby heritage assets associated with the historical railway.

Proposed extension discussion

The proposal as revised, seeks to add a single storey side extension to the dwelling. The extension proposals, although seeking to use a mix of contrasting and traditional pallet of materials is considered poor as a result of the side extension upsetting the balance/symmetry with the neighbouring property. Although some care has been taken, to respect the architectural character, the location on the side would be considered to harm the architectural qualities of the building and its significance. Any outbuilding associated historically with the buildings were tucked behind the main buildings in order that they would not be visible from the railway line and mar the aesthetic of the cottages, even though this would be more visible in that part of the Conservation Area. This harm that would result from this development would be classed as 'less than substantial' (NPPF national policy test).

The Building Conservation Officer has objected to the proposal on design terms, and also the principle of extension on grounds that any extension would upset the balance of the pair of cottages and their design intent; this design intent (particularly that visible from the railway) was originally clearly considered more important in terms of public interest than providing additional space for the inhabitants. Although the visibility of the site from the former railway line is significant; it should be remembered that Conservation Area designation applies in equal force to all elevations, regardless of visibility.

It has not been possible to design a scheme which meets the Authority's concerns regarding a side extension and the applicant's aspirations for improved accommodation.

In addition, the extension, even in its reduced form represents an increase in floorspace of approximately 50% which exceeds the target of not exceeding 30% so as to retain a mix of dwelling types and retain smaller dwellings to assist balanced communities,

The Authority's Ecologist has requested that a bat informative is added to any approval granted.

Conclusion

In the exercise of its planning functions with regards to development which affects a Conservation Areas or its setting, Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that the Authority shall pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

The proposals as a whole are contrary to the NPPF and SPI of the Local Plan, both of which state that great weight should be given to the conservation of the asset irrespective of the level of harm.

They also state that where a development would lead to less than substantial harm to a designated heritage asset then these must be weighed against the public benefits of the proposal. Strategic Policy I goes further to state that where there are no public benefits the Authority will refuse consent.

As this is a Non-Designated Heritage Asset a balanced judgment has been made having regard to the scale of the harm likely to arise from the proposal and the significance of the heritage asset with the planning balance being considered to weigh against the development.

The benefits of the proposal are purely private and therefore offer no justification to the resulting harm to the heritage asset. In line with national policy and the requirements of the Development Plan therefore, the application is recommended for refusal.

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

The Authority's Officers have tried to work with the agent, however, having 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.

North York Moors National Park Authority

Plans list item 4, Planning Committee report 07 April 2022

Application reference number: NYM/2021/0597/FL

Development description: alterations and construction of single and two storey extensions together with first floor balcony following demolition of existing garage and conservatory

Site address: 6 Prospect Field, High Hawsker, Whitby Parish: Hawsker-Cum-Stainsacre

Case officer: Mrs Jill Bastow

Applicant: Mr & Mrs K & S Simpson, 6 Prospect Field, High Hawsker, Whitby, YO22 4LG

Agent: BHD Partnership, Airy Hill Manor, Waterstead Lane, Whitby, YO21 1QB, United Kingdom

Director of Planning's Recommendation

Approval subject to the receipt of satisfactory amended plans which show a reduction in the habitable floorspace of the extension, omission of the balcony and revised materials, and the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2	PLAN01	The development hereby permitted shall not be carried out other than in strict accordance with the following documents: Document Description, Document Number, Date Received Proposed Plans & Elevations, D12137-03 F, 10 Mar 2022 Location and Block Plans, D12137-01 A, 29 July 2021 or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	MATS04	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.

Condition number	Condition code	Condition text
4	WPDR08	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re- enacting that Order), no additional windows shall be inserted in the north or south elevations of the extensions hereby permitted without a further grant of planning permission being obtained from the Local Planning Authority.
5	GACS14	The first floor window in the north elevation of the extensions hereby approved shall not be glazed other than with obscure glass and shall be maintained in that condition in perpetuity.
6	WPDR04	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 Schedule 2, Part 1, Class A (or any order revoking and re- enacting that Order), no further extensions to the dwelling shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
7	RSU000	Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 or any subsequent Order, the garage hereby permitted shall not be converted into habitable residential accommodation without a separate grant of planning permission from the Local Planning Authority.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.

Informative number	Informative code	Informative text
2	MISCINF12	<p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England. Further information on wildlife legislation relating to birds can be found on the RSPB's website.</p> <p>If advice is needed, please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
3	INF00	<p>Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; with additional swift box ideas from Action for Swifts.</p>

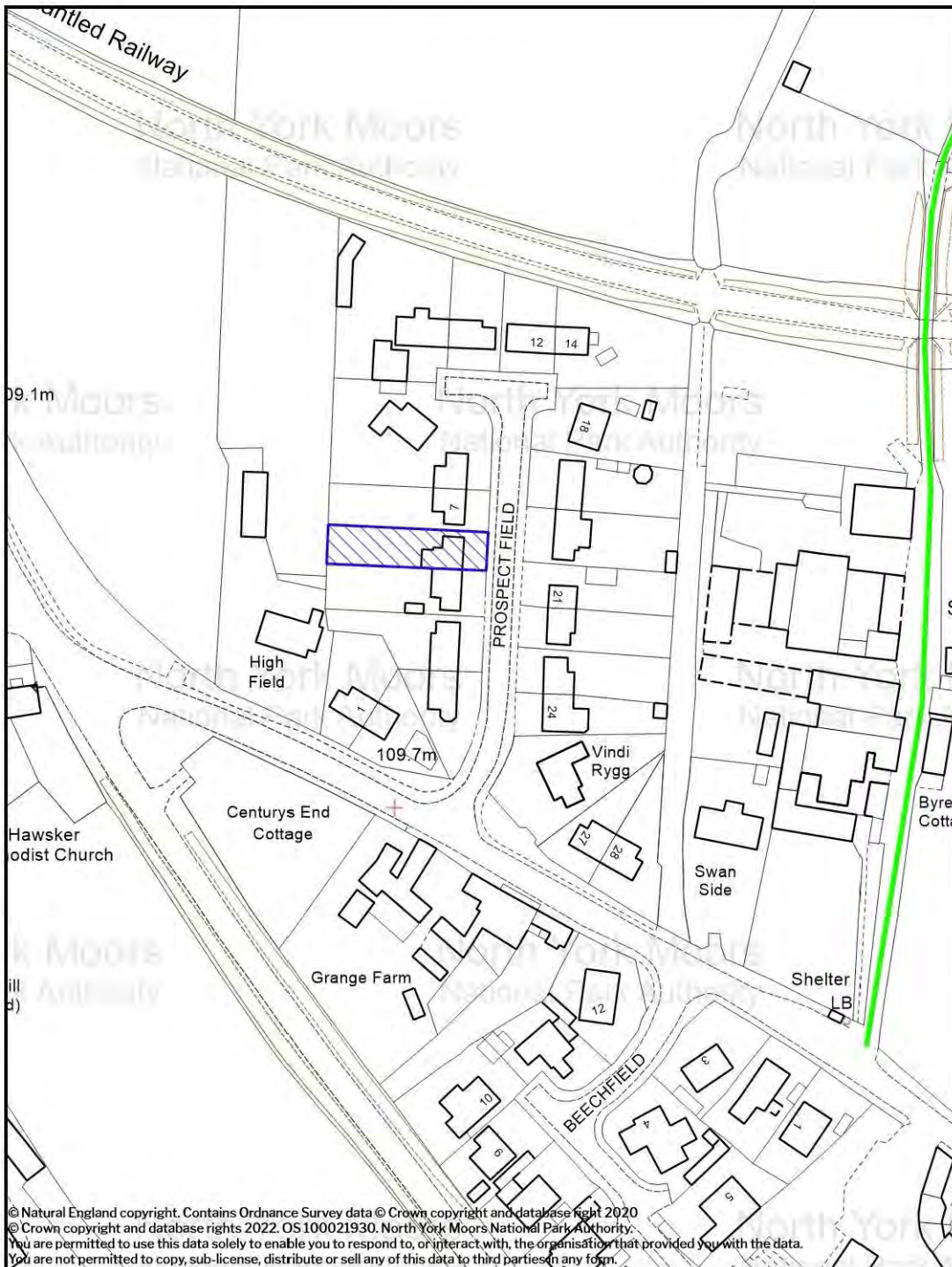
Map showing application site



**North York Moors
National Park**

Application Number: NYM/2021/0597/FL

Scale: 1:1250



NYM/2021/0597/FL

Photo showing the front elevation of the property with the single storey garage to be replaced with a two-storey side extension



Photo showing the rear elevation of the property with the uPVC conservatory to be replaced with a single storey lean-to extension



NYM/2021/0597/FL

Consultation response

Parish

Amended plans: Object on the grounds that the balcony is an unnecessary addition which compromises the privacy of neighbours, and the materials proposed for the extension are not in keeping with the rest of the building.

Original plans: Object on the grounds that the extension is excessive in size that the proposed building materials are not in keeping with the surrounding houses, also that the aspect/street view would be altered, and the balcony would create a privacy issue for surrounding residents.

Third party responses

C Hutton, 5 Prospect Field, High Hawsker Expresses the following concerns:

The first-floor balcony would provide the occupants with a direct view into the garden of 5 Prospect Field (along with the rest of the gardens on that side of the street), significantly impede on the privacy of neighbours, which would be more sustained and imposing than looking out of a bedroom window.

The proposed plans suggest a double storey extension that would adjoin number 5 Prospect Field which would restrict the light into the back of the property thus making the main living areas of number 5 considerably darker.

Overall, the proposed application does not appear to be 'in-keeping' with the rest of the properties within the cul-de-sac. Prospect Field comprises of stone houses; it is not clear from the submitted plans if the proposed extension will all be built of stone.

Mr R Tindale and Ms K Cook, 7 Prospect Field, High Hawsker Express the following concerns:

We would have hoped that as neighbours we would have been informed and potentially able to negotiate prior to official plans being submitted; instead, we feel that our views have not been considered.

Financial sacrifices are made to remain in villages within a national park with soaring house prices. Over-development of this house is something that would be suitable within a town housing estate but not in keeping with houses on Prospect Field where each house has its slight differences of which remain in proportion with the existing house.

Light is undoubtedly going to be reduced with the height and width so close to the boundary line not only within our house (including landing, garage, sunroom/kitchen) but also on our garden and patio area. The balcony design suggests that the view is of importance, however the same view will no longer be an option for other residents neighbouring and opposite on Prospect Field due to the height and width of the proposed extension.

The balcony is also an invasion of our privacy regardless of the opaque glass.

Plans to render a full two storey face adjoining our property is not consistent with a course stone-built house which will be seen by other properties on the road but also from the main road.

Consultation expiry

8 March 2022

Background

This application relates to a semi-detached property located on the west side of a small residential cul-de-sac in the centre of High Hawsker. It is a stone built property under a pantile roof with white uPVC windows. To the side is an attached garage and to the rear is a uPVC framed conservatory. A porch has been added to the front elevation.

Planning permission is sought for a two-storey side extension to provide a tandem garage with an additional bedroom above along with the replacement of the existing uPVC conservatory with a masonry constructed living room extension. The proposals have been amended since originally submitted with the omission of the large balcony to the bedroom, the reduction in the size of the rear living room extension and the change of materials to the side elevation from render to stone to match the host property. It is still proposed to render the rear wall of the single storey extension.

Main issues

Policy

The relevant policies of the adopted Local Plan in the determination of this application are considered to be **Strategic Policy C** (Quality and Design of Development) and **CO17** (Householder Development).

Strategic Policy C states that in order to maintain and enhance the distinctive character of the National Park, development will be supported where the proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide; incorporates good quality construction materials and design details that reflect and complement the architectural character and form of the original building; and is of a scale, height, massing and form compatible with the surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers.

Policy CO17 requires that new development does not detract from the character and form of the original dwelling or its setting in the landscape by virtue of its scale, height, form, position and design; does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling; and reflects the principles outlined in the Authority's Design Guide. In addition the policy requires that any extension should be clearly subservient to the main part of the building and should not increase the total habitable floorspace by more than 30% unless there are compelling planning considerations in favour of a larger extension; and that the

design and detailing should complement the architectural form and character of the original dwelling.

Principle

The proposals have been amended since originally submitted to reduce the increase in floor area of the habitable accommodation. Based on the submitted floor plans the existing habitable floorspace (excluding the front porch and side porch/WC which appear to be later additions along with the rear conservatory) is calculated to be approx. 82 sq.m whereas the proposed living room and bedroom extensions would provide an additional 30 sq.m of habitable floorspace which represents a 36% increase. Whilst this is not within the 30% threshold as set out in Policy CO17, regard is had to the fact that the proposals will replace an uPVC conservatory with a more sympathetically designed rear extension to the living room which has been reduced in size so that it falls within the threshold of permitted development.

Design

The proposed two storey side extension follows the advice contained in the Authority's Design Guide with the front elevation set back from that of the original dwelling with a lower ridge height so that the extension is clearly subservient to the original dwelling.

With regard to the lean-to single storey rear living room extension this also follows the Authority's Design Guide principles being a traditional way of extending at ground floor whilst ensuring the original dwelling remains the dominant form. As such there are no objections to the design detailing of these two elements, and it is noted that similar extensions have been carried out on other properties within the cul-de-sac.

The materials originally proposed were matching stone to the front elevation with the side and rear elevations rendered. However, given the concerns expressed by the Parish Council and Officers that this would not be in keeping with the locality, the proposals have been amended so that the side elevation will also be constructed in stone to match the host property. The rear elevation will be rendered but given that this is single storey and 65% will be either garage door or glazed doors to the living room, it is not considered that render would be detrimental to the overall character and appearance of the proposals.

Residential amenity

Concerns had been expressed from the local residents and the Parish Council to the plans as originally submitted which included a large balcony over the garage to the rear elevation and the impact this would have on the residential amenity of adjoining neighbours. However, the proposals have been amended to omit the large balcony over the garage and to continue the lean-to roof of the living room extension across the entire rear elevation. A small balcony is still proposed (0.75 metres deep) with a full height masonry wall to the north elevation to avoid the potential for overlooking of the neighbouring property. As such it is considered that the proposals now address the concerns raised with regard to the potential for overlooking of neighbouring gardens and

the level of noise, activity and disturbance that might otherwise arise from an elevated outside seating area in a residential area.

Furthermore, the depth of the single storey living room extension has been reduced from 3.5 metres to 2.8 metres to reduce the potential overshadowing of the adjoining neighbour's garden to the south.

No objections have been received from local residents in respect of the amended plans although it is noted that the Parish Council still have concerns.

Conclusion

It is considered that the proposed extensions are sympathetic to the host property in terms of scale, massing, form, materials and design detailing and would not cause an unacceptable reduction in amenity either for the existing dwelling or for neighbouring properties. The proposals therefore comply with the principles in the Authority's Design Guide and the design criteria of Policy CO17. The proposals will result in an increase in habitable floorspace of 36% which is in excess of the 30% threshold of Policy CO17 however given that the proposal will replace an uPVC conservatory with a better designed extension, the increased floorspace is considered to be within the objectives of Policy CO17 to retain a mix of property types.

Contribution to Management Plan Objectives

Approval is considered likely to help meet Policy E3 which seeks to ensure that new development does not have a detrimental impact on the landscape of the National Park and Policy C10 which seeks to ensure that all new development is of a high quality design.

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 identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

North York Moors National Park Authority

Plans list item 5, Planning Committee report 07 April 2022

Application reference number: NYM/2022/0059

Development description: installation of replacement powder coated aluminium sliding doors and flue

Site address: Thornlea, Mill Green Way, Goathland Parish: Goathland

Case officer: Miss Megan O'Mara

Applicant: Mr Oliver and Alexander Ludlam-Raine, 43 Hirstwood Road, Shipley, Bradford, BD18 4BU

Agent: JMA Design, fao: Jonathan Athay, The Fold, Selside, Settle, BD24 0HZ

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
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.

Condition number	Condition code	Condition text
3	LNDS01	Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for additional planting between the eastern elevation of the Coach House and the eastern boundary of the site and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
4	GACS07	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.
5	MATS74	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF02	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848. Further information is also available on the Coal Authority website .

Informative number	Informative code	Informative text
2	MISCINF01	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately, and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
3	MISCINF12	Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England . Further information on wildlife legislation relating to birds can be found on the RSPB's website .
4	INFO0	Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website ; with additional swift box ideas from Action for Swifts .

Map showing application site



North York Moors National Park

Application Number: NYM/2022/0059

Scale: 1:1500

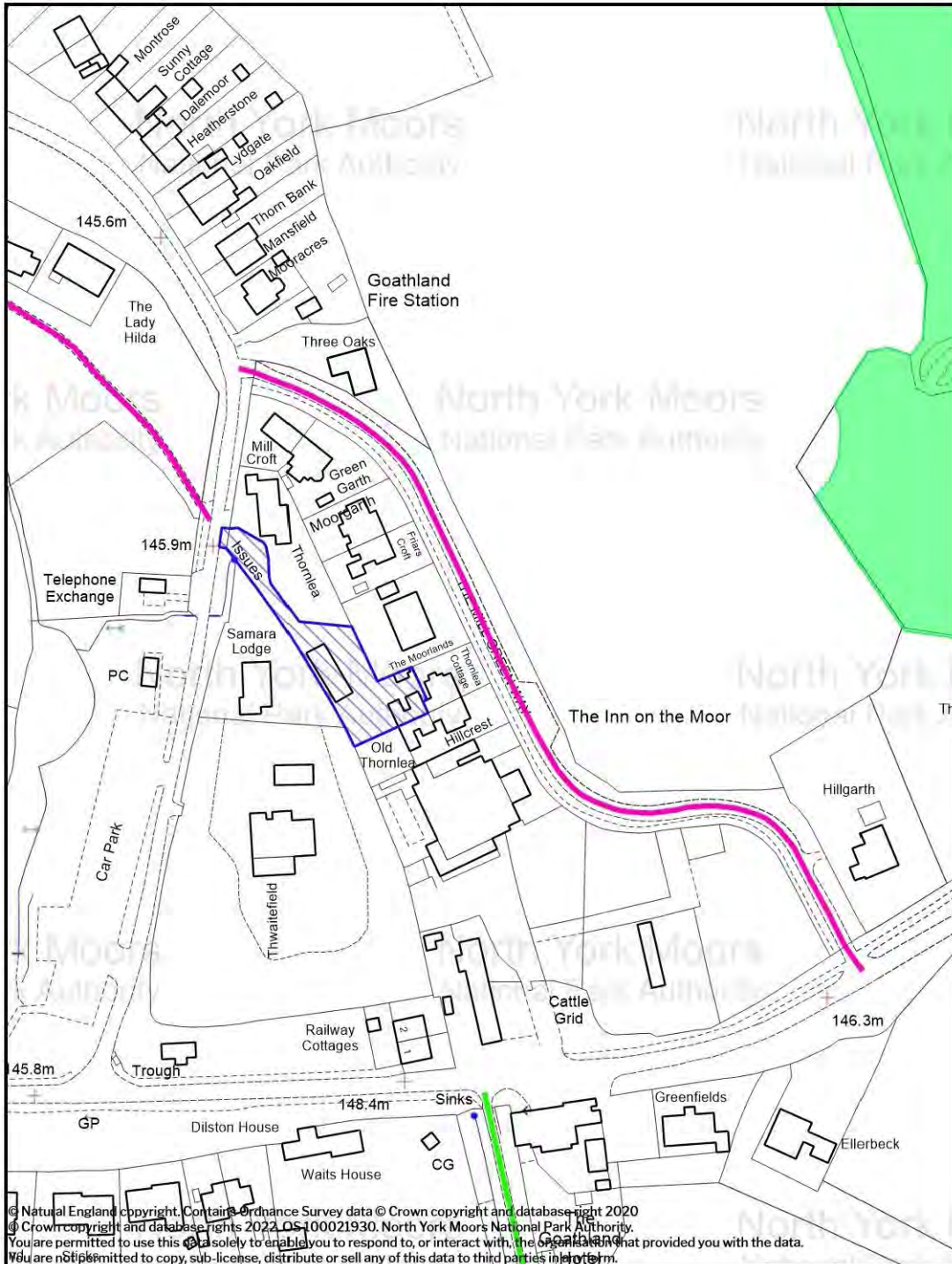


Photo showing the southern and eastern elevations of the annex as existing



Consultation responses

Parish

Object – 5 March 2022 - The councillors would like to object to this application, as it is felt it is very intrusive to neighbouring properties with regards to the windows and sliding doors.

Environmental Health

No objections – 8 February 2022

Natural England

No comments – 8 February 2022

Third party responses

Kerryn and Carolyn Humphreys, The Moorlands, Goathland, Whitby, North Yorkshire YO22 5LZ

Object – 14 February 2022 - The Old Thornlea Coach House directly faces The Moorlands, and it is felt by the objectors that the installation of the proposed windows will have a direct impact on their private amenities as well as the quality of the dark night skies. It is also felt that the proposed windows/doors are not in keeping with the character of the surrounding conservation area. The objectors also comment that they do not feel like the proposed planting would thrive due to the existing hard surfacing on site.

Consultation expiry

24 March 2022

Background

The main dwelling, known as Old Thornlea, was constructed in the 1930s and is of brick construction. Approximately 11m Northwest of the main dwelling is a building known as the Coach House which is of brick and pantile construction. Both the main dwelling and the Coach House have been unoccupied for a number of years and are currently in a poor state of repair.

In May 1990, planning permission (40300113A) was granted for the conversion of the Coach House to become an annexe, providing ancillary accommodation to Old Thornlea. This permission has been implemented.

This application seeks planning permission for the installation of powder coated aluminium windows and doors within the existing garage door openings on the eastern elevation of the building. The application also includes the installation of a flue on the roof slope of the west elevation.

NYM/2022/0059

The plans refer to the development as 'holiday accommodation'; to clarify, the applicants have purchased the property as a holiday home for their family. The Coach House will remain as a family annexe to the main dwelling and will not be let off independently from the main house. The applicants have confirmed that condition 3 of the 1990 approval (40300113A), which restricts the use of the building as a family annexe, will be adhered to. This application relates to the external alterations only.

Main issues

Local Plan

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 CO17 states that development within the domestic curtilage of dwellings should only be permitted where the scale, height, form, position and design of the new development does not detract from the character and form of the original dwelling or its setting in the landscape. The policy also states that the development should reflect the principles outlined in the Authority's Design Guide.

Strategic Policy I relates specifically to development affecting the Historic Environment. The policy states that all developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park through the conservation and, where appropriate, enhancement of the historic environment. Development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area

Policy ENV11 relates specifically to Historic Settlements and the Built Heritage. The policy states that development affecting the built heritage of the North York Moors should reinforce its distinctive historic character by fostering a positive and sympathetic relationship with traditional local architecture, materials and construction. High standards of design will be promoted to conserve and enhance the built heritage, settlement layouts and distinctive historic, cultural and architectural features

Material considerations

Visual impact

The Coach House is currently in a poor state of repair, however the 1990 approval to convert the building into annexe accommodation associated with Old Thornlea has clearly been implemented. Therefore, the use of the building is not to be considered

under this application; the development should be considered in regard to the wider visual impact and impact on neighbouring properties.

The application seeks planning permission for external alterations to the building; any internal alterations (excluding change of use) to the building do not require consent. The external alterations consist of the installation of a flue on the roofslope on the west elevation of the building, together with the installation of powder coated aluminium windows and doors. The proposed windows and doors are to be installed within existing openings on the east elevation of the building. The existing openings comprise three garage doors, currently enclosed by timber boarded doors. It is proposed that the timber boarded doors are removed and replaced by the aluminium windows and doors to provide additional light into the ancillary living accommodation in the annex.

The building is surrounded by a number of residential properties and therefore is not visible from the wider conservation area; as such it is not considered that the proposed development will have a negative impact on the character of the surrounding settlement.

It is also considered that by using existing openings on the east elevation, the proposed windows and doors are unlikely to have a negative impact on the original character and form of the building.

Impact on neighbouring amenities

The west elevation has no windows or doors at ground level but does have three rooflights. The south elevation (gable), which looks towards the main dwelling has two ground floor windows and one first floor window. The north elevation, which does not look directly into any neighbouring properties, has one ground floor and one first floor window. The east elevation of the building looks directly towards the rear of a property known as The Moorlands. This elevation currently has three ground floor windows and three rooflights; the proposed development will add an additional three glazed openings which are much larger in scale than the existing windows. It was observed by the planning officer during their visit that the property known as The Moorlands would be the only neighbouring resident that could potentially be affected by the proposed development.

The residents of The Moorlands have objected to the development, together with the Parish Council, on the grounds that the proposed development would have a harmful impact on private amenities of the neighbouring residents, specifically in terms of over-looking. It was observed during the site visit, and evidenced in photos submitted by the objectors, that there is existing vegetation between The Moorlands and the Coach House. The applicants have also proposed a planting scheme to provide additional screening between the development site and the neighbouring property. There is approximately 20m between the east elevation of the Coach House and the west elevation of The Moorlands. Whilst the Authority appreciates the neighbour's concerns, it is considered that given the distance, together with existing vegetation and the proposed planting scheme, the proposed development is unlikely to have a detrimental impact on the private amenities of the neighbouring residents.

Impact on dark night skies

The objector raises concerns in regard to the impact that the development would have on the quality of the dark night skies within the National Park. It is appreciated that the proposed glazing will allow increased light flow from the property, however this is within a built-up residential area and unlikely to have a detrimental impact. The Authority's Dark Skies Officer has not commented on the proposed development.

Conclusion

In view of the above, it is considered that the proposed development is in line with the Authority's policies and Design Guidance. Whilst the concerns raised by the neighbouring residents are valid and have been taken into account, it is considered that with the proposed planting scheme the development is unlikely to result in a level of over-looking that would be detrimental to the neighbour's enjoyment of their private amenities. The application is therefore recommended for approval.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policy C10 which seeks to ensure that all new development will be of a high-quality design and will conserve and enhance the built heritage.

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.

North York Moors National Park Authority

Plans list item 6, Planning Committee report 07 April 2022

Application reference number: NYM/2022/0043

Development description: change of use of residential accommodation to offices and meeting room (no external alterations)

Site address: Grosmont Station House, Front Street, Grosmont Parish: Grosmont

Case officer: Miss Megan O'Mara

Applicant: North Yorkshire Moors Railway fao: Mr Tim Bruce, 12 Park Street, Pickering, North Yorkshire, YO18 7AJ

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text
1	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
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	RSU001	The premises shall not be used other than as offices and meeting room and shall not be used for any other purpose (including any other purpose in Class E of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF02	<p>The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to The Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website.</p>

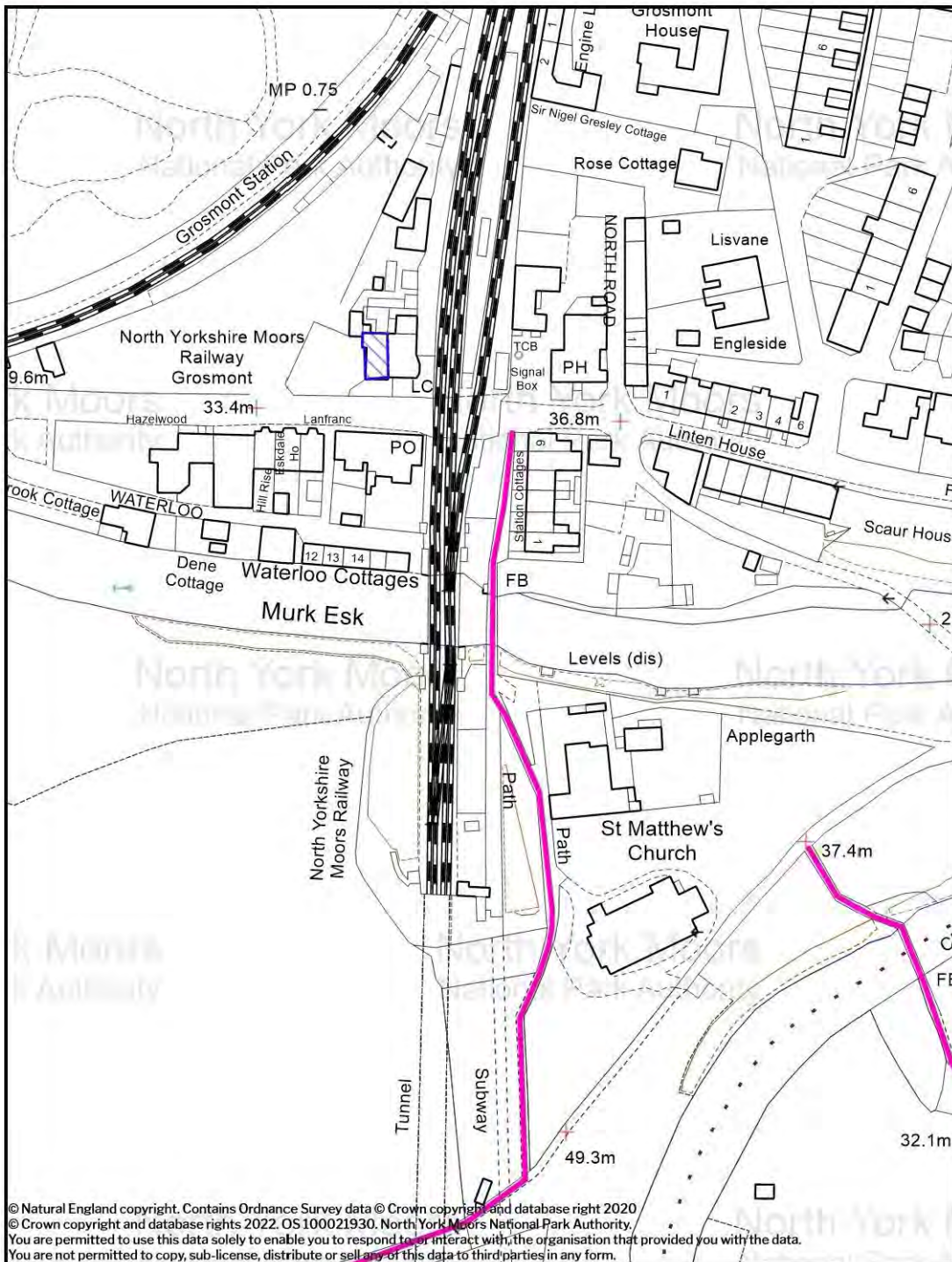
Map showing application site



North York Moors National Park

Application Number: NYM/2022/0043

Scale: 1:1250



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Photo showing the principal elevation of the property, fronting Front Street



NYM/2022/0043

Consultation responses

Parish

Object – 9 March 2022 - The Parish Council consider that the property should stay as a permanent residential dwelling.

Highways

No objections – 9 February 2022

Environmental Health

No comments or concerns – 3 February 2022

Yorkshire Water

No comments received

Third party responses

No comments received

Consultation expiry

25 February 2022

Background

Grosmont Station House is an attractive Grade II Listed Building of typical stone and slate construction. In a prominent position on Front Street, adjacent to the level crossing, the building is characterful of the area and makes a positive contribution towards the conservation area. The building has always been associated with the railway station and has had various uses throughout its history.

This application seeks planning permission for the change of use of Grosmont Station House from residential accommodation to offices, to be used by the North Yorkshire Moors Railway.

Main issues

Local Plan policies

Strategic Policy K relates to The Rural Economy. This policy explains that development that fosters the economic and social well-being of local communities within the National Park will be supported where it helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors which help maintain the land based economy and cultural heritage of the National Park or contribute to National Park purposes. It will also be supported where the development provides additional facilities, or better use of existing facilities for educational and training uses, including those which provide further opportunities to understand and enjoy the special qualities of the National Park.

Policy BL8 relates specifically to Shops, Offices and Food and Drink Services. The policy states that new retail development, professional and financial and food and drink services will only be permitted in smaller villages where development is compatible with the character of the area and are of a scale that is appropriate to the community in which they are located.

Material considerations

There are to be no external alterations to the Listed Building and so there will be no adverse impact on the original character and form of Grosmont Station House or the wider Conservation Area.

Principle of change of use

This application seeks to change the use of Grosmont Station House from residential accommodation to office and meeting room space to be used by the North Yorkshire Moors Railway.

The property has operated as a holiday let in excess of 15 years. The applicant states that prior to its use as holiday accommodation, Grosmont Station House was used as offices for a brief period although there is no planning history to reflect this use.

The use of Grosmont Station House as offices is unlikely to have a negative impact on the private amenities of local residents. The office space is modest and remains associated with the North Yorkshire Moors Railway so is unlikely to generate significant levels of noise and activity. In addition, the Local Highways Authority have responded with no objections to the application stating that it is not anticipated that the change of use will have any significant impact on the public highway.

The Parish Council have objected to the application stating that they feel the property should remain as permanent residential accommodation. It is considered that given that the property has operated as a holiday let in excess of 15 years, it does not currently contribute towards the housing stock within the National Park. Whilst the Authority understands the Parish Council's position, it is Officer's view that the use of the property as offices for the North Yorkshire Moors Railway is in line with Strategic Policy K and Policy BL8.

In view of the above, and the lack of policy in relation to safeguarding existing residential uses the application is recommended for approval.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policy B21 which seeks to improve the employment and training opportunities available to people in the National Park.

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.