

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0673

Development description: removal of condition 1 of planning approval NYM/2022/0461 to enable the polytunnel and wetland area to remain permanently on site

Site address: land adjacent Tall Trees, Hay Lane, Scarborough

Parish: Newby and Scalby

Case officer: Mrs Hilary Saunders

Applicant: Tree Top Press

fa: Mrs Ruby Tildsley, Hillcrest, Suffield, Scarborough, YO13 OBJ

Agent:

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.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to

Document title

		conserve and enhance the special qualities of the National Park.
2	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.

Consultation responses

Parish

No objections

Third party responses

No comments received

Publicity expiry

Site notice expiry date – 7 October 2022

View of proposed development locations from southern boundary and top of site



View northeast towards location of proposed poly tunnel to northern side of existing polytunnel



View north towards the proposed wetlands and ponds development in the field



Background

This application relates to 2 ½ acre piece of land on Hay Lane, located between two residential properties. The run of residential properties along Hay Lane are set down from the road, and several of them have outbuildings at the bottom of the hill, to the rear of the residential properties.

Planning permission was granted conditionally in 2019 for alterations to the access and for the erection of two polytunnels for horticultural purposes (part retrospective).

Planning permission was subsequently granted earlier this year for the siting of one polytunnel next to the lower existing polytunnel and for the construction of a wetland area with four ponds towards the north-eastern corner of the field.

However, this permission was only given a temporary grant of approval and the applicant has now applied to remove that time limit conditions as the temporary nature of the consent makes the proposal unviable and they wouldn't be eligible for the FiPL grant they have applied for.

Main issues

Local Plan

The relevant NYM Local Development Framework policies to consider with this application are Strategic Policy A (Achieving National Park Purposes and Sustainable development) and Policy BL5 (Agricultural Development).

Strategic Policy A seeks to ensure that new development conserves and enhances the Park's special qualities; with priority being given to ensuring development does not detract from the quality of life of residents and supports the character of a settlement.

Policy BL5 of the Local Development Plan seeks to permit proposals for new agricultural buildings and structures or extensions to existing buildings where there is a functional need for the building, the building is designed for the purposes of horticulture (agriculture), the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location, and a landscaping scheme which reduces the visual impact of the proposal on the wider landscape is submitted as part of the proposal.

Material Considerations

The principle of the polytunnel has already been agreed with the permission that has been granted, albeit that permission was only for a temporary period. However, the adjacent polytunnels were granted permanent permission and this additional structure would not have any greater impact than those already permanently sited.

In view of the above it is recommended that the condition for temporary approval is replaced with the standard 3 year commencement conditions.

Pre-commencement conditions

N/A

Contribution to Management Plan objectives

Approval is considered likely to help meet Objective 19 which seeks to maintain a strong and viable farming.

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.