

## The Planning Inspectorate

### QUESTIONNAIRE (s78) and (s20) PLANNING AND LISTED BUILDING CONSENT (Online Version)

You must ensure that a copy of the completed questionnaire, together with any attachments, are sent to the appellant/agent by the date given in the start letter. **You must include details of the statutory development plan, even if you intend to rely more heavily on some other emerging plan.**

If notification or consultation under an Act, Order or Departmental Circular would have been necessary before granting permission and has not yet taken place, please inform the appropriate bodies of the appeal now and ask for any comments to be sent direct to us by the date your statement is due.

Appeal Reference

APP/W9500/W/22/3305049

Appeal By

MS RACHEL BARKER

Site Address

Field 5886  
Raikers Lane  
Smeaton, Whitby  
North Yorkshire  
YO22 5JG  
Grid Ref Easting: 490575  
Grid Ref Northing: 505879

#### PART 1

- 1.a. Do you consider the written representation procedure to be suitable? Yes  No
- Note: If the written procedure is agreed, the Inspector will visit the site **unaccompanied** by either party unless the relevant part of the site cannot be seen from a road or other public land, or it is essential for the Inspector to enter the site to check measurements or other relevant facts.*
- 2.a. If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, bridleway or other public land? Yes  No
- 2.b. Is it essential for the Inspector to enter the site to assess the impact of the proposal? Yes  No
- 2.c. Are there any known health and safety issues that would affect the conduct of the site inspection? Yes  No
- 3.a. Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State? Yes  No
- 3.b. Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State? Yes  No

#### PART 2

4. Does the appeal relate to an application for approval of reserved matters? Yes  No
5. Was a site ownership certificate submitted with the application? Yes  No
6. Did you give publicity to the application in accordance with either Article 15 of the DMPO 2015, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) Act 1990 or Regulation 5 of the Planning (Listed Buildings

and Conservation Areas) Regulations 1990?

6.a. If a press advert notice was published, please upload a copy

see 'Questionnaire Documents' section

6.b. If any representations were received as a result of the notice, please upload copies

see 'Questionnaire Documents' section

7. Does the appeal relate to a county matter?

Yes  No



**8. Please indicate the development type for the application to which the appeal relates.**

Major Developments



Minor Developments



Other Developments



**8.c. Other Developments**

Mineral working



Change of use



Householder developments



**Is the appeal site within:**

9.a. A Green Belt?

Yes  No



9.b. An Area of Outstanding Natural Beauty?

Yes  No



10. Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?

Yes  No



### PART 3

11. Would the development require the stopping up or diverting of a public right of way?

Yes  No



12.a. Is the site in a Conservation Area?

Yes  No



12.b. Is the site adjacent to a Conservation Area?

Yes  No



12.c. Does the appeal proposal include the demolition of a non-listed building within a conservation area?

Yes  No



13.a. Does the proposed development involve the demolition, alteration or extension of a Grade I / II\* / II listed building?

Yes  No



13.b. Would the proposed development affect the setting of a listed building?

Yes  No



14. Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?

Yes  No



15.a. Would the proposals affect an Ancient Monument (whether scheduled or not)?

Yes  No



16. Is any part of the site subject to a Tree Preservation Order?

Yes  No



17. Have you made a Local Development Order under s61A to 61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?

Yes  No



18. Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?

Yes  No



19.a. Is the appeal site in or adjacent to or likely to affect an SSSI or an internationally designated site (ie. cSAC, SAC, pSPA, SPA Ramsar)?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>
19.b. Are any protected species likely to be affected by the proposals?	Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/>

#### PART 4

##### Environmental Impact Assessment - Schedule 1

20.a.i. Is the proposed development Schedule 1 development as described in Schedule 1 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes  No

##### Environmental Impact Assessment - Schedule 2

20.b.i. Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2011?

Yes  No

20.c.i. Have you issued a screening opinion (SO)

Yes  No

##### Environmental Impact Assessment - Environmental Statement (ES)

20.d. Has the appellant supplied an environmental statement?

Yes  No

##### Environmental Impact Assessment - Publicity

20.e. If applicable, please attach a copy of the site notice and local advertisement published as required for EIA development.

Applies  N/A

21. Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place?

Yes  No

Please attach copies of any comments that you have received in response.

[see 'Questionnaire Documents' section](#)

#### PART 5

22. Do you wish to attach your statement of case?

Yes  No

##### For appeals dealt with by written representations only

23. If this appeal is not following the written representations expedited procedure, do you intend to send a statement of case about this appeal?

Yes  No

##### Copies of the following documents must, if appropriate, be attached to this questionnaire

24.a. a copy of the letter with which you notified people about the appeal;

[see 'Questionnaire Documents' section](#)

24.b. a list of the people you notified and the deadline you gave for their comments to be sent to us;

[see 'Questionnaire Documents' section](#)

Deadline

22/11/2022

- 24.c. all representations received from interested parties about the original application;
- see '[Questionnaire Documents](#)' section
- 24.d. the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;
- see '[Questionnaire Documents](#)' section
- 24.e. any representations received as a result of a service of a site ownership notification;
- 24.f. extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan);
- You must include the front page, the title and date of the approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination.*
- see '[Questionnaire Documents](#)' section
- see '[Questionnaire Documents](#)' section
- List of policies
- 24.g. extracts of any relevant policies which have been 'saved' by way of a Direction;
- 24.h. extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;
- 24.i. extracts from any supplementary planning document that you consider necessary, together with the date of its adoption;
- In the case of emerging documents, please state what stage they have reached.*
- 24.j. a comprehensive list of conditions which you consider should be imposed if planning permission is granted;
- Only tick that this applies if you intend to submit a list of conditions with the questionnaire. If you do not submit the list with the questionnaire, then this should be submitted by the date your statement is due. This list must be submitted separately from your appeal statement.*
- 24.k. if any Development Plan Document (DPD) or Neighbourhood Plan relevant to this appeal has been examined and found sound/met the basic conditions and passed a referendum, the date the DPD or Neighbourhood Plan is likely to be adopted and, if you consider this date will be before the Inspector's decision on this appeal is issued, an explanation of the Council's policy position in respect of this appeal upon its adoption. You should also include an explanation of the status of existing policies and plans, as they relate to this appeal, upon adoption and which (if any) will be superseded;
- 24.l. if any DPD or Neighbourhood Plan relevant to this appeal has been submitted for examination, or in the case of a Neighbourhood Plan has been examined and is awaiting a referendum, an explanation of any substantive changes in the progress of the emerging plan, and their relevance to this appeal if it is considered that the plan will not be adopted before the Inspector's decision on this appeal is issued;
- 24.m. your Authority's CIL charging schedule is being/has been examined;
- 24.n. your Authority's CIL charging schedule has been/is likely to be adopted;
- 24.o. any other relevant information or correspondence you consider we should know about.

**For the Mayor of London cases only**

- 25.a. Was it necessary to notify the Mayor of London about the application? Yes  No
- 25.b. Did the Mayor of London issue a direction to refuse planning permission? Yes  No

**LPA Details**

I certify that a copy of this appeal questionnaire and any enclosures will be sent to the appellant or agent today.



LPA's reference

NYM/2022/0353

Completed by

Mrs Dawn Paton

On behalf of

North York Moors National Park Authority

Please provide the details of the officer we can contact for this appeal, if different from the Planning Inspectorate's usual contact for this type of appeal.

Name

Mrs Hilary Saunders

Phone no (including dialling code)

01439 772700

Email

planning@northyorkmoors.org.uk

**Please advise the case officer of any changes in circumstances occurring after the return of the questionnaire.**

## QUESTIONNAIRE DOCUMENTS

Appeal Reference APP/W9500/W/22/3305049

Appeal By MS RACHEL BARKER

Site Address  
Field 5886  
Raikers Lane  
Smeaton, Whitby  
North Yorkshire  
YO22 5JG  
Grid Ref Easting: 490575  
Grid Ref Northing: 505879

### The documents listed below were uploaded with this form:

**Relates to Section:** PART 2

**Document Description:** 6.a. A copy of the notice published.

**File name:** Site Notice.pdf

**Relates to Section:** PART 2

**Document Description:** 6.b. Any representations received as a result of that notice.

**File name:** 2022-06-07 Public - Consultation Responses.pdf

**Relates to Section:** PART 4

**Document Description:** 21. Copies of any comments that you have received in response.

**File name:** Site Notice.pdf

**Relates to Section:** PART 5

**Document Description:** 24.a. A copy of the letter with which you notified people about the appeal.

**File name:** Copy of Parish letter.pdf

**Relates to Section:** PART 5

**Document Description:** 24.b. A document containing a list of the people you notified of the appeal.

**File name:** List of those notified.pdf

**Relates to Section:** PART 5

**Document Description:** 24.c. Copies of all representations received from interested parties about the original application.

**File name:** 2022-06-07 Public - Consultation Responses.pdf

**Relates to Section:** PART 5

**Document Description:** 24.d. The planning officer's report to committee or delegated report on the application and any other relevant documents/minutes.

**File name:** 2022-06-23 Public - Officer Delegated Report.pdf

**Relates to Section:** PART 5

**Document Description:** 24.f. Copies of extracts from any relevant statutory development plan policies.

**File name:** Title Page 2020.pdf

**File name:** Copy of Front Sheet 2020.pdf

**Relates to Section:** PART 5

**Document Description:** 24.f. Copies of extracts from any relevant statutory development plan policies.

**File name:** CO10.pdf  
**File name:** SPA.pdf  
**File name:** SPM.pdf  
**File name:** SPB.pdf  
**File name:** SPJ.pdf  
**File name:** ENV4.pdf  
**File name:** UE2.pdf

**Completed by**

**Date**

**LPA**

## List of those notified

Internal - Conservation  
The Old Vicarage  
Bondgate  
Helmsley  
York  
YO62 5BP  
via email

Police - Traffic  
via email

Sneaton Parish Council  
via email

EHO - Scarborough 2  
Private Sector Housing Team  
via email:

Forestry Commission - Regulation  
Yorkshire and North East Area Office  
Forestry Commission England  
Foss House  
King's Pool  
1-2 Peasholme Green  
York  
YO1 7PX  
Via Email

EHO - Scarborough 1  
Commercial Regulation Manager  
via email

Police - Designing Out Crime Officers  
via email

Area Traffic Manager - Scarborough  
NYCC - Area 3 Whitby  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ  
via email

Owner/Occupier  
Anglo American (Woodsmith) Ltd  
c/o Lichfields  
fao: Mr James Cox  
Third Floor  
15 St Pauls Street  
Leeds LS1 2JG



Sneaton Parish Council  
via email:

Your ref: NYM/2022/0353

Our ref:

Date: 19 October 2022

This matter is being dealt with by: Mrs Hilary Saunders  
Direct Dial 01439 772559

Dear Sir/Madam

**Land at:** land off Raikes Lane, Sneatonthorpe, Sneaton

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

**Appeal reference(s):** APP/W9500/W/22/3305049

**Appeal starting date:** 18/10/2022

**Appellant(s) name:** Ms Rachel Barker

An appeal has been made to the Secretary of State in respect of the above site. The appeal follows the refusal of planning permission by this Planning Authority. A copy of the appeal documentation can be obtained from or viewed by prior appointment at The Old Vicarage, Bondgate, Helmsley and is available to view on the [Planning Explorer](#) section of the Authority's website under the application reference number.

The appeal is to be decided on the basis of an exchange of written statements by the parties and a site visit by an Inspector.

Any comments already made following the original application for planning permission (unless they are expressly confidential) will be forwarded to the Planning Inspectorate, copied to the appellant and will be taken into account by the Inspector in deciding the appeal. Should you wish to withdraw or modify your earlier comments in any way, or request a copy of the appeal decision letter, you should write directly to the Planning Inspectorate, 3D, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN **within five weeks** of the appeal start date, quoting the appeal reference number. Three copies of any comments need to be forwarded to the Inspectorate. If they receive representations after the deadline, they will not normally be seen by the Inspector and they will be returned.

The Planning Inspectorate will not acknowledge your letter however; they will ensure that it is passed on to the Inspector dealing with the appeal. Once decided a copy of the appeal decision will be published on the [Planning Explorer](#) section of the Authority's website under

Working together to sustain the landscape and life of the  
North York Moors for both present and future generations to enjoy

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP  
01439 772700 [general@northyorkmoors.org.uk](mailto:general@northyorkmoors.org.uk)  
[planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk) [northyorkmoors.org.uk](http://northyorkmoors.org.uk)



Our Ref:

2

Date: 19 October 2022

the application reference number and on the [Gov.UK website](#). Guidance on the appeal process can also be found on the [Gov.UK website](#).

Should you have any further questions, please do not hesitate to contact the Authority.

Yours faithfully

*Mark Hill*

Mr M Hill  
Head of Development Management



**North York Moors  
National Park**

**Planning Notice**

**Town and Country Planning (Development Management  
Procedure) Order 2015 Notice under Article 15**

<b>Application Number</b>	<b>NYM/2022/0353</b>
<b>Applicant</b>	<b>Ms Rachel Barker</b>
<b>Site Address</b>	<b>Land off Raikes Lane, Sneatonthorpe, Sneaton</b>
<b>Proposal</b>	<b>Use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)</b>

Documents for the application(s) are available under the application reference number on the Planning Explorer section of the Authority's website which can be accessed by scanning the QR code below or at: <http://planning.northyorkmoors.org.uk/Northgate/PlanningExplorer/ApplicationSearch.aspx>.

Any comments you may have on the application(s) should be made **within 21 days** of the date of this notice. Where the consultation period extends over a Bank Holiday an additional day is given for each Bank Holiday that falls within this period. You may comment by using the Authority's online consultation response form, by email ([planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)), letter or fax.

Please be aware that any views submitted will be available for public inspection and will be published on the Authority's website, under the provision of the Access to Information Act.

Mr C M France  
Director of Planning  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York, YO62 5BP  
website: [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)  
email: [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)  
tel: 01439 772700



**Date of Notice:  
This notice may be removed  
after 30 days.**

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



**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**

**Application No:** **NYM22/0353**

Application for use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field

**Proposed Development:** store to provide bike and waste water storage facilities and associated access,  
parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)

**Location:** land off Raikes Lane, Sneatonthorpe, Sneaton

**Applicant:** Ms Rachel Barker

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

**Area Ref:** 4/31/139B **Tel:**

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

**To:** North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
YO62 5BP **Date:** 6 June 2022

**FAO:** Hilary Saunders **Copies to:**

**Note to the Planning Officer:**

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

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

Consequently the Local Highway Authority recommends that the following **Conditions** are attached to any permission granted:

**LOCAL HIGHWAY AUTHORITY  
CONSIDERATIONS and RECOMMENDATION**



Continuation sheet:

Application No:

**NYM22/0353**

**MHC-03 New and altered Private Access or Verge Crossing**

The development must not be brought into use until the access to the site has been set out and constructed in accordance with the 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by the Local Highway Authority and the following requirements:

The crossing of the highway verge and/or footway must be constructed in accordance with the Standard Detail number E50 and the following requirements.

- Any gates or barriers must be erected a minimum distance of 6 metres back from the carriageway of the existing highway and must not be able to swing over the existing highway.
- Provision to prevent surface water from the site/plot discharging onto the existing highway must be constructed and maintained thereafter to prevent such discharges.
- The final surfacing of any private access within one metre of the public highway must not contain any loose material that is capable of being drawn on to the existing public highway.
- Measures to enable vehicles to enter and leave the site in a forward gear.

All works must accord with the approved details.

**Reason for Condition**

To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

**Signed:**

***Ged Lyth***

*For Corporate Director for Business and Environmental Services*

**Issued by:**

Whitby Highways Office  
Discovery Way  
Whitby  
North Yorkshire  
YO22 4PZ

**e-mail:** \_\_\_\_\_

**From:**  
**To:** [Planning](#)  
**Cc:**  
**Subject:** RE: NYM/2022/0353 Land off Raikes Lane Sneatonthorpe.  
**Date:** 25 May 2022 07:21:32  
**Attachments:** [image001.png](#)

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Good morning,

Sneaton Parish Council's next meeting is 22<sup>nd</sup> June.

Is it possible to extend the comments date for the above application until after the meeting.

Kind regards,

Mike Holliday, Sneaton Parish Council

**Our Ref:** 265-2-2022 MR  
**Your Ref:** NYM/2022/0353

Date 18 May 2022



## Partnership Hub

Mrs Hilary Saunders  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
North Yorkshire  
YO62 5BP

Dear Mrs Saunders,

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

**Location** land off Raikes Lane, Sneatonthorpe, Sneaton

Many thanks for giving North Yorkshire Police (NYP) the opportunity to comment on this application. In December 2021 I responded to the previous planning application for this site (NYM/2021/0970/FL refers). In that response I provided the results of a crime & disorder analysis covering a 12-month period, for an area within a 1km radius of the site. I have carried out an up-to-date analysis using the same study area, for the period between 1 May 2021 to 30 April 2022, which shows that the site continues to be located within a low crime & disorder area, with no crimes or anti-social behaviour incidents recorded by NYP.

Having reviewed the documents and drawings that have been submitted with this current application, it would appear to be similar to the previous application, but with a reduction in the number of shepherd huts, and the introduction of a new managers lodge. I would therefore refer the Authority to comments made in my previous response in relation to the proposed cycle store and the security of the shepherds' huts and would make the below additional comments in regards to the manager's lodge.

1 Surveillance

1.1 The manager's lodge is appropriately located and will provide good levels of surveillance of the entrance to the site and visitor parking area, which will enhance the security of the site.

2 Lighting

2.1 It is noted from the supporting information that the front elevation of the manager's lodge will be provided with illumination to provide a sense of safety & security for visitors to the site and this is welcomed.

3 Doors & Windows

3.1 As with the advice given in my previous response in respect of the shepherds' huts, where possible, all doors and windows installed in the manager's lodge should be to a good security standard to make forced entry harder to achieve, preferably to PAS24 or an equivalent standard.

I have no other comments to make at this time but if I can be of any further assistance, please do not hesitate to contact me.

Yours sincerely,

Mr Mark Roberts  
Police Designing out Crime Officer



**From:**  
**To:** [Planning](#)  
**Subject:** Land off Raikes Lane, Sneatonthorpe, Sneaton  
**Date:** 16 May 2022 13:10:02

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Your ref: NYM/2022/0353  
Proposal: Application for use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste water storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL)  
Address: Land off Raikes Lane, Sneatonthorpe, Sneaton

With reference to the above proposal, I confirm that we have no objections in principle to the granting of planning consent on housing or caravan site licensing grounds.

I would be grateful if you could make the applicant aware of the need to obtain a caravan site licence if planning permission is obtained.

Regards,

*Stephanie Baines* ACIEH  
Technical Officer (Residential Regulation Team)  
Environmental Health  
Scarborough Borough Council

w: [www.scarborough.gov.uk](http://www.scarborough.gov.uk)



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

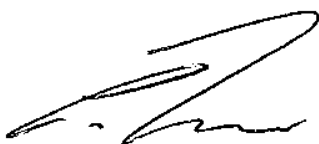
**Notice of Decision of Planning Authority on Application for  
Permission to Carry out Development**

To Ms Rachel Barker  
21 Lowdale Lane  
Sleights  
Whitby

The above named Authority being the Planning Authority for the purposes of your application validated 04 May 2022, in respect of **use of land for the siting of five shepherds huts for holiday letting purposes, removal of field shelter and construction of managers dwelling, use of field store to provide bike and waste storage facilities and associated access, parking, linkage paths, landscaping and drainage works (revised scheme following refusal of NYM/2021/0970/FL) at land off Raikes Lane, Sneatonthorpe, Sneaton** has considered your said application and has **refused** permission for the proposed development for the following reason(s):

1. The application site is not associated, physically linked, or adjoining the site of an existing business or 'managing dwelling' and as such the proposed development of tourism accommodation represents the development of an undeveloped isolated parcel of land in the open countryside. Furthermore, the nature of the deciduous roadside hedge would be likely to result in poor winter screening of the site and not represent 'adequate well-established vegetation'. The proposal would therefore represent sporadic development and be contrary to the spatial requirements of Strategic Policy B and Policy UE2 of the adopted North York Moors Local Plan.
2. Policy C010 of The North York Moors Local Plan only permits new housing development in Open Countryside where there is an essential need to support established farming, forestry or other essential land management activities. The application site is located within the open countryside and therefore would not comply with the criteria of Policy CO10. If permitted, the proposal would represent 'sporadic' development in the countryside which would significantly harm the landscape character and special qualities of this part of the National Park. This would conflict with Strategic Policies A, B and M and Policy CO10 of the NYM Local Plan which set out the spatial strategy for development and seek to conserve and enhance the special qualities of the National Park.
3. The proposed development would, due to the introduction of lighting to serve the proposed facilities, result in significant light spill in the local area which would detrimentally affect the dark skies reserve of the National Park and negatively impact on nocturnal wildlife. The development would therefore be in conflict with Policy ENV4 of the NYM Local Plan which seeks to ensure that the darkness of the night skies above the National Park, and the associated ecology benefits, are maintained and enhanced.

Continued/Explanation of how the Authority has  
Worked Positively with the Applicant/Agent



Mr C M France  
Director of Planning

Date 23 June 2022

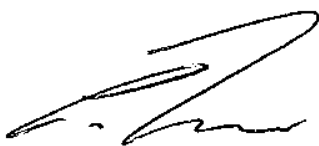
Please Note your Rights of Appeal are attached to this Decision Notice

**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**

**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 23 June 2022

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

## Rights of Appeal

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
  - a) refuse an application for planning permission or grant it subject to conditions;
  - b) 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
  - c) 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](http://www.planningportal.gov.uk/planning/appeals)**

### Notes

1. Please note, only the applicant possesses the right of appeal.
2. 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 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.

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0353

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

**Site address:** land off Raikes Lane, Sneatonthorpe, Sneaton

**Parish:** Sneaton

**Case officer:** Mrs Hilary Saunders

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

**Agent:**

## Director of Planning's Recommendation

Refusal for the following reason(s)

### Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The application site is not associated, physically linked, or adjoining the site of an existing business or 'managing dwelling' and as such the proposed development of tourism accommodation represents the development of an undeveloped isolated parcel of land in the open countryside. Furthermore, the nature of the deciduous roadside hedge would be likely to result in poor winter screening of the site and not represent 'adequate well-established vegetation'. The proposal would therefore represent sporadic development and be contrary to the spatial requirements of Strategic Policy B and Policy UE2 of the adopted North York Moors Local Plan.
2	Policy C010 of The North York Moors Local Plan only permits new housing development in Open Countryside where there is an essential need to support established farming, forestry or other essential land management activities. The application site is located within the open countryside and therefore would not comply with the criteria of Policy C010. If permitted, the proposal would represent 'sporadic' development in the countryside which would significantly harm the landscape character and special qualities of this part of the National Park. This would conflict with Strategic Policies A, B and M and Policy C010 of

	the NYM Local Plan which set out the spatial strategy for development and seek to conserve and enhance the special qualities of the National Park.
3	The proposed development would, due to the introduction of lighting to serve the proposed facilities, result in significant light spill in the local area which would detrimentally affect the dark skies reserve of the National Park and negatively impact on nocturnal wildlife. The development would therefore be in conflict with Policy ENV4 of the NYM Local Plan which seeks to ensure that the darkness of the night skies above the National Park, and the associated ecology benefits, are maintained and enhanced.

## Consultation responses

### Parish

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

### Highways

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

### North Yorkshire Police Designing Out Crime

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

### Environmental Health

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

### Third party responses

None

### Publicity expiry

Site notice expiry date – 10 June 2022

Aerial photo showing position of site in isolated open countryside location



## Entrance to site from Raikes Lane



## Background

The application site is situated in a remote location on the west side of Raikes Lane to the south of Sneatonthorpe, near Whitby. The field has previously been used as a paddock for horse but there is no permanent or residential development on site, just field shelters.

The site is a field bounded to the roadside by hedging and along the western boundary by a tree belt outside the application site. It is accessed via an existing field gate from Raikes Lane.

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

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



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

## Main issues

### Local Plan

Strategic Policy A – National Park Purposes – seeks to take a positive approach to new development, in line with the presumption in favour of sustainable development and where decisions are consistent with National Park statutory purposes:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;
2. To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

It goes on to state that where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Strategic Policy B (The Spatial Strategy) sets out the principle of development in the National Park according to spatial criteria. Development in the open countryside will only be permitted inter alia where it meets the requirements set out at Policy UE2.

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

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

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

Policy ENV4 - Dark Night Skies - seeks to ensure that the darkness of the night skies above the National Park are maintained and enhanced and requires that all development will be expected to minimise light spillage through good design and lighting management.

Strategic Policy J (Tourism and Recreation) seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or public rights of way.

Policy UE2 relates specifically to Camping, Glamping, Caravans and Cabins. The policy states that development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, tepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where it is within Helmsley or the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or; where it is in open countryside and is not isolated from an existing business or residential unit which will be used to manage the accommodation. The development must not cause unacceptable harm in terms of noise and activity on the immediate area or detract from the character, tranquillity or visual attractiveness of the area. The accommodation should be of a high quality design which complements its surroundings.

### Material Considerations

Whilst Policies in the Local Plan seek to support small scale off-grid camping and glamping provision in open countryside, this is only in locations where they would not be harmful to the character and appearance of the landscape and can be managed by an existing dwelling. Local Plan Policy recognises the importance of preventing sporadic development in the open countryside on areas of land that are otherwise undeveloped or separate from existing development such as farmsteads or other businesses. Criterion 2 of Policy UE2 specifically states that in the open countryside (i.e. outside the main built up area of listed settlements) such development must not be isolated from an existing business or residential unit which will be used to manage the accommodation.

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

The deciduous and single shrub wide nature of the roadside hedge would provide poor winter screening of the site and this further reinforces the unacceptability of the proposal due to visual impact in winter.

In this case, the site comprises an undeveloped isolated parcel of land in the open countryside where there is no existing onsite residential accommodation from which to

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

Whilst no details have been provided regarding potential lighting of the development, each hut would be provided with an external decking area and there is a separate parking area and bike and bin storage area. It is inevitable that all of these areas would be externally lit which would have a potential impact on the National Park's dark skies qualities as the site and its surroundings are at present entirely unlit.

### Conclusion

The land represents an existing undeveloped greenfield site in the open countryside and this proposal would result in sporadic development in the open countryside and would also be likely to be detrimental to the dark skies reserve above the National Park.

The proposal is therefore contrary to the above policies and would have a harmful impact on National Park special qualities, consequently, refusal is recommended.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.

## **Policy CO10 - Housing in Open Countryside**

In order to maintain the quality of the National Park landscape, housing development in Open Countryside will only be permitted in the following circumstances:

1. Where there is an essential need for a dwelling in the proposed location to support established farming, forestry or other essential land management activities. It must also be demonstrated that:
  - a) The need for the accommodation cannot be met through the reuse or alteration of an existing suitable building;
  - b) The proposed accommodation is essential to the functioning of a financially sound enterprise that has been established for at least three years;
  - c) The dwelling will be used only in connection with that enterprise; and

- d) The size and specification of the dwelling is commensurate with the functional need for accommodation.

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

2. Where an existing dwelling is to be replaced in accordance with Policy CO14, Replacement Dwellings;
3. Where a rural building is of architectural or historic interest and is converted in accordance with Policy CO12, Conversion of Existing Buildings in Open Countryside.

Dwellings that are not of a high quality or that have a harmful impact on the landscape will not be permitted.

### Explanation

- 7.53 The National Park is characterised by large areas of open countryside with scattered farmsteads and groups of buildings which are too small to be categorised as villages in the settlement hierarchy. These are areas where conservation of the landscape and environment are the overriding principles and new housing is not permitted. There are, however, certain circumstances where residential development in Open Countryside is necessary and Policy CO10 enables such development to take place provided it can be done without unacceptable harm to the landscape or the special qualities of the National Park.
- 7.54 Where the application is for a farm, forestry or land management worker's dwelling, applicants must demonstrate that there is a genuine and essential need for the accommodation in that location and full information must be provided on each part of criterion 1 of the policy. Further details of the information required in support of applications for dwellings for farm, forestry or other land management workers by the Authority are at Appendix 3.
- 7.55 The Authority will not support new build proposals where suitable alternative accommodation is available in the area or where existing buildings could be satisfactorily converted into accommodation. The history of the land holding will be investigated to establish whether any buildings suitable for conversion have recently been sold off and any such sale could constitute evidence of lack of need for a new dwelling.
- 7.56 New agricultural workers dwellings should be sited so as to meet the identified functional need and to minimise the impact on the landscape, taking advantage of existing topographical features, trees and hedgerows. They should be well related to existing farm buildings or other dwellings and should be an appropriate size, design and specification. Care should be taken to ensure that the curtilage and access arrangements are unobtrusive in the wider landscape. Dwellings that are unusually large in relation to the functional needs of the enterprise will not be supported. Where planning permission is granted a condition will be attached restricting occupancy to agricultural, forestry or other land management workers as appropriate.

North York Moors National Park Authority

# LOCAL PLAN

July 2020



North York Moors  
National Park

North York Moors National Park Authority

# **LOCAL PLAN**

July 2020

**Objectives - National Park Statutory Purposes and Duty:**

1. Conserve and enhance the natural beauty, wildlife and cultural heritage of the North York Moors National Park.
2. Promote opportunities for the understanding and enjoyment of the special qualities of the National Park.
3. Whilst achieving the above seek to foster the economic and social well-being of local communities.

**Introduction**

- 3.1 This part of the Plan sets out our spatial strategy and some of the key 'strategic' policies the Authority will use to help direct and influence new development in the future. The term 'strategic' means that they are policies held to be particularly important in achieving the Authority's long term objectives.

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

Within the North York Moors National Park a positive approach to new development will be taken, in line with the presumption in favour of sustainable development set out in the National Planning Policy Framework and where decisions are consistent with National Park statutory purposes:

1. To conserve and enhance the natural beauty, wildlife and cultural heritage of the National Park;
2. To promote opportunities for the understanding and enjoyment of the special qualities of the National Park by the public.

Where there is an irreconcilable conflict between the statutory purposes the Sandford Principle will be applied and greater weight will be attached to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the National Park.

Sustainable development means development which:

- 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.

### Explanation

- 3.2 The North York Moors is a nationally significant, special place and part of the cultural and natural heritage of the nation. As such, proposals for new development will need to be carefully located and designed so that they respect the 'statutory purposes' which underpin its status as a National Park. The Authority will continue to recognise that the evolution of the National Park needs to be sensitively managed, through a philosophy of 'careful planning'.
- 3.3 It is standard practice for development plans to contain a policy which sets out a presumption in favour of sustainable development as set out in National Policy (NPPF, paragraph 11). In terms of plan-making this presumption does not apply where policies in the NPPF protect areas of particular importance such as National Parks where there are strong reasons for restricting the scale of development. Scale is recognised at paragraph 172 of the NPPF which states that the scale and extent of development within designated areas should be limited. Therefore an important principle which runs through all the policies in this Plan is that development in the National Park should be small in scale in order to conserve and enhance the natural beauty and cultural heritage of the North York Moors. Further guidance on what is meant by 'small in scale' is explained in the supporting text to the relevant policies.
- 3.4 Strategic Policy A is intended to set out what the National Park Authority considers to be sustainable development in the National Park context and links a positive approach to new development with a need to ensure compatibility with National Park purposes. A positive approach to appropriate new development will therefore be taken and the Authority will always work with applicants jointly to find solutions which mean that proposals can be approved wherever possible and to secure development that improves the economic, social and environmental conditions in the National Park.
- 3.5 As a general development principle, development in the National Park should avoid conflict with the two national park statutory purposes. In the event that a proposal for development would create a conflict between the two purposes the decision maker will adhere to the 'Sandford Principle' which requires that greater weight is attached to the conservation and enhancement of the National Park<sup>18</sup>.

<sup>18</sup>The National Parks and Access to the Countryside Act, 1949, Section 11A(2), as inserted by Section 62 of the 1995 Environment Act

## Strategic Policy B - The Spatial Strategy

Development will be guided in accordance with the following settlement hierarchy:

### Local Service Centre – Helmsley

Development should strengthen Helmsley's role as the main service centre within the National Park by providing additional housing (open market and affordable housing), employment and training premises, community and visitor facilities.

### Larger Villages listed in Table 1

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.

### Smaller Villages listed in Table 1

Development should maintain the rural character of Smaller Villages by providing small scale housing developments to meet local and affordable needs, small scale employment and training premises and new facilities and services for the immediate locality only.

### Botton Village

Development which is necessary to meet the functional needs of the supported community.

### Open Countryside

Development will only be permitted in Open Countryside in the following cases:

1. Where development reuses a building of architectural or historic interest in a way that supports an economic, education or community use or meets local housing needs, in accordance with Policy CO12 (Conversion of Existing Buildings in Open Countryside);
2. Where there is an essential need for development to meet the needs of farming, forestry and other rural enterprise or land management activities;
3. Where it is essential to meet social or community needs and it can be demonstrated that there are no other suitable and available locations within Helmsley and the Villages;
4. Where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins);
5. Where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.

## The Settlement Hierarchy

Local Service Centre	Larger Villages	Smaller Villages	Open Countryside
Helmsley*	Ampleforth* Castleton Danby Easington Egton Fylingthorpe Glaisdale Hinderwell Lythe Osmotherley Robin Hoods Bay (inc. Bank Top) Sleights* Staithes (inc. Bank Top) Swainby Thornton le Dale* West and East Ayton*	Ainthorpe Aislaby Appleton le Moors Battersby Junction Boltby Carlton in Cleveland Charltons* Chop Gate Cold Kirby Commondale Coxwold Egton Bridge Faceby Fadmoor* Gillamoore* Goathland Grosmont Hackness Hawnbly Hawsker (High and Low) Hutton Buscel Hutton le Hole Hutton Village Ingleby Greenhow Kilburn* Lastingham Lealholm Levisham Lockton Mickleby Newholm Newton on Rawcliffe* Oswaldkirk* Pockley* Port Mulgrave Ravenscar Rosedale Abbey Runswick Bay Sawdon* Sinnington* Sneaton Stainsacre Staintondale Ugthorpe Wass	
	Botton Village (comprising the neighbourhoods of: Village Centre, Botton Farm, Falcon, High Farm, Stormy Hall, Lodge, Nook, Honey Bee Nest)		

\*Settlements split by the National Park boundary

Table 1 – The Settlement Hierarchy

## Explanation

- 3.6 Any Local Plan needs to find a way of indicating the best locations for future development and it typically does this through its ‘spatial strategy.’ This sets out how different policies apply in different places. A spatial strategy is typically expressed through a ‘settlement hierarchy’. The hierarchy shows what types and levels of development are appropriate for places in each ‘tier’ of the hierarchy. Strategic Policy B sets out how the limited opportunities for new development in the National Park will be distributed.
- 3.7 The hierarchy is split into four parts, with a separate approach applying to the village of Botton. Outside Helmsley, settlements are classed as either Larger or Smaller Villages based on a range of considerations, primarily settlement size and form and the range of facilities available. In this Local Plan the term ‘listed settlements’ means Helmsley, all Larger Villages and all Smaller Villages.

### Local Service Centre – Helmsley

- 3.8 Helmsley has been identified as a ‘Local Service Centre’ as it provides a level of services and facilities that serves the needs of, and is accessible to people living in the surrounding rural areas.
- 3.9 It is the only market town within the National Park and is a popular tourist destination. It has a total population of 1,540<sup>19</sup> and a good range of employment opportunities and local services. It is split by the National Park boundary and Ryedale District Council is the local responsible planning authority function for the areas to the south of the A170 and east of Bridge Street.
- 3.10 Helmsley is also identified in Ryedale’s Core Strategy as a Local Service Centre. A joint local plan (Helmsley Local Plan, 2015), was prepared with Ryedale District Council and runs to the year 2027. It contains land allocations for new housing and employment development. Policies in this plan should be read alongside that in the Helmsley Local Plan.
- 3.11 Helmsley is the only location in the Authority’s development plan where land is allocated for housing, a development boundary is defined and new unrestricted open market housing is to be made available. It is anticipated that just over a third of the anticipated level of new housing identified in this plan will be built at Helmsley (see Strategic Policy M).

### Larger Villages

- 3.12 These settlements have a more ‘self-contained’ character, and a range of facilities serving the wider community. The Local Plan allows for small scale development in the main built up area of these villages to meet housing, employment and community needs, including ‘principal residence’ housing on suitable sites (Policy CO7). No development boundaries or limits are defined and the suitability of a site for development will be defined on a case by case basis.

### Smaller Villages

- 3.13 The settlements included within this definition have more limited or no facilities at all, with any that are available often being ‘shared’ amongst groups

<sup>19</sup>2016 mid-year estimate, North Yorkshire County Council

of settlements. They have been selected on the basis that they contain 35 or more residential address points and therefore a very limited amount of new development may be forthcoming. The Local Plan allows for small scale development in the main built up area of these villages to meet local housing needs including for new affordable housing (Policy CO8). No development boundaries or limits are defined and the suitability of a site for development will be considered on a case by case basis.

### **Open Countryside (including smallest villages and hamlets)**

- 3.14 The rest of the National Park is classed as ‘Open Countryside’ where development will not be allowed, save in a very few circumstances (for example as set out in Policies UE1, UE2, BL1, BL3 and CO10). Open Countryside is defined as areas with no development, sporadic development and isolated buildings. Some smaller villages and hamlets are also included within the Open Countryside designation.

### **Botton Village**

- 3.15 The village of Botton is treated separately within the settlement hierarchy due to its particular geography and function – it is a coherent yet dispersed settlement comprising a number of neighbourhoods. A specific policy relating to development at Botton Village is included at Policy CO9.
- 3.16 The following Key Diagram shows the Local Service Centre of Helmsley, and the Larger and Smaller Villages together with linkages to main settlements outside the National Park boundary. A larger version can be found at the end of this document.

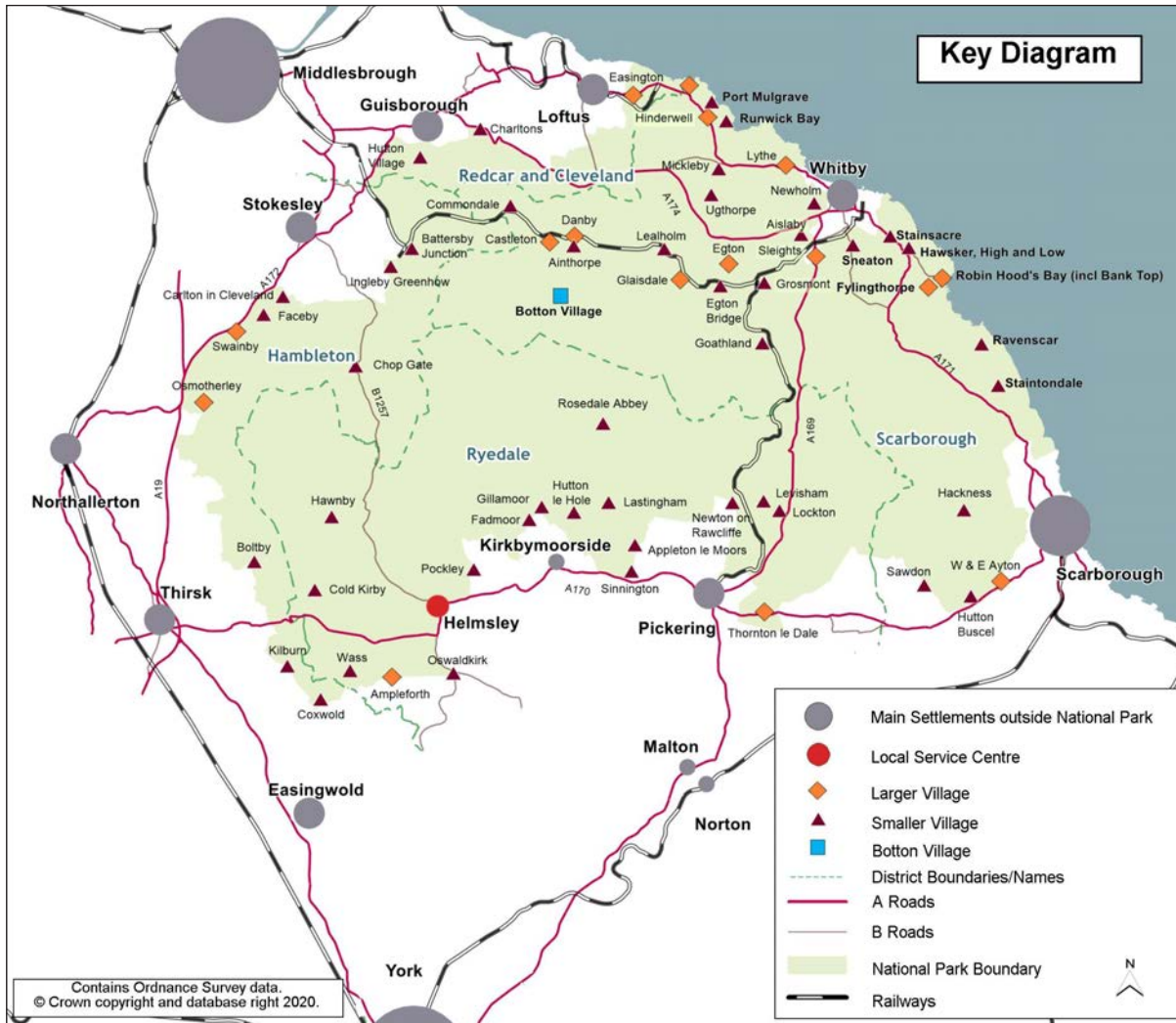


Figure 2 – The Spatial Strategy

- 3.17 The Authority recognises the value of Whole Estate Plans prepared by individual landowning organisations. These provide information about landholdings and buildings and set out future plans for the management of the Estate as a whole. Plans should cover environmental and social assets and issues as well as economic development projects, recognising the potential of large estates to make a diverse and positive contribution to sustainable development in the National Park. The intention is that they provide clear baseline information which can be used to help identify mutually acceptable solutions and aid decision making for both the landowner and the National Park Authority.
- 3.18 Whole Estate Plans are a way of responding to specific circumstances that large landowners may face in managing assets over a wide area. Their provisions, however, must serve the wider purposes of the National Park and must not conflict with government policy on National Parks and must be in general conformity with the strategic objectives of this Plan. If approved by the Authority, a Whole Estate Plan would be a material consideration in the determination of relevant planning applications and carry appropriate weight in decision making.

## Strategic Policy J - Tourism and Recreation

Tourism and recreation development will be supported where:

1. It is consistent with the principles of sustainable tourism set out in paragraph 5.4;
2. It does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset;
3. It provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents;
4. It is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape;
5. Any accommodation is used only for short term holiday stays;
6. It does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way; and
7. It does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

### Explanation

- 5.5 Strategic Policy J aims to encourage appropriate tourism and recreational development. Appropriate in this case means development that is sensitively located within a particular locality, does not generate detrimental levels of recreational activity or traffic and does not detract from the National Park's special qualities. This means that some forms of recreational or tourism use such as golf courses, airstrips or holiday villages are unlikely to be compatible with National Park purposes. Activities that generate significant noise or activity are unlikely to be permitted on the grounds that they lessen the tranquil qualities of the National Park. Proposals for larger developments of more than local significance may be subject to the major development test (Strategic Policy D). Applicants are also directed to Strategic Policy A (Achieving National Park Purposes and Sustainable Development) which may be used to assess proposals.
- 5.6 When an application for accommodation is approved, the Authority will normally impose a condition requiring the unit to be used only for holiday letting purposes.

For the purposes of this condition ‘holiday letting’ means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year unless there is compelling evidence as to why a longer period is necessary. The site operator or owner must maintain an up to date register of the main addresses of the owners or occupants. This shall be made available to the Authority on request.



## Strategic Policy M - Housing

To help meet the needs of local communities a minimum of 551 new homes (29 per year) will be completed over the period of this Plan.

These homes will be delivered through the development of sites allocated in the Helmsley Local Plan and in Policy ENV13, Environmental Enhancement Sites; through windfall development, including custom and self-build housing, on suitable small sites in listed settlements; through affordable housing schemes on rural exception sites and through proposals put forward in accordance with a Whole Estate Plan approved by the National Park Authority.

The Authority will support proposals for a variety of tenures, types and sizes of dwellings within the National Park, including accommodation for older people and those needing special facilities, care or support at home. Schemes will be expected to meet the need for smaller dwellings.

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.

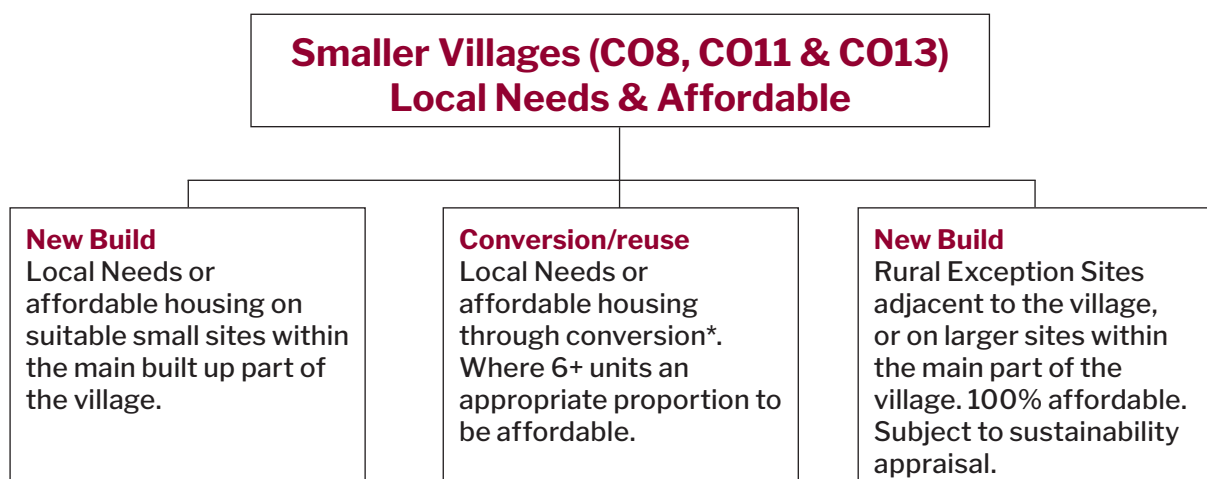
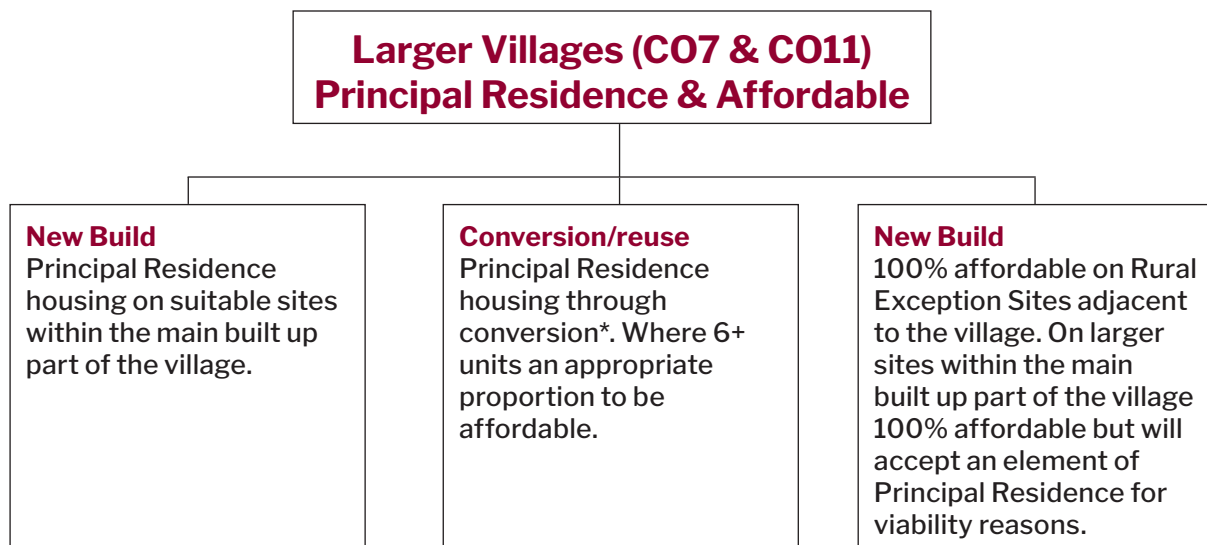
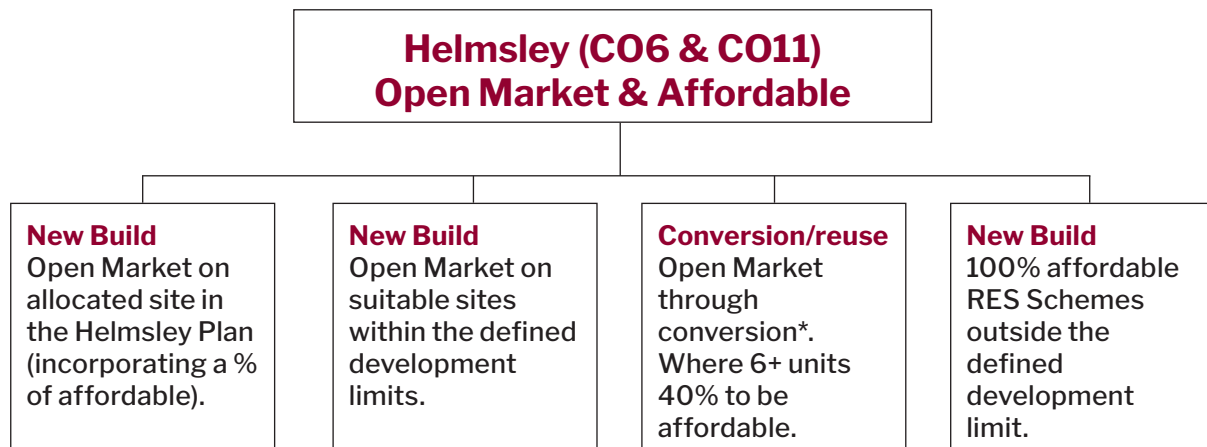
### Explanation

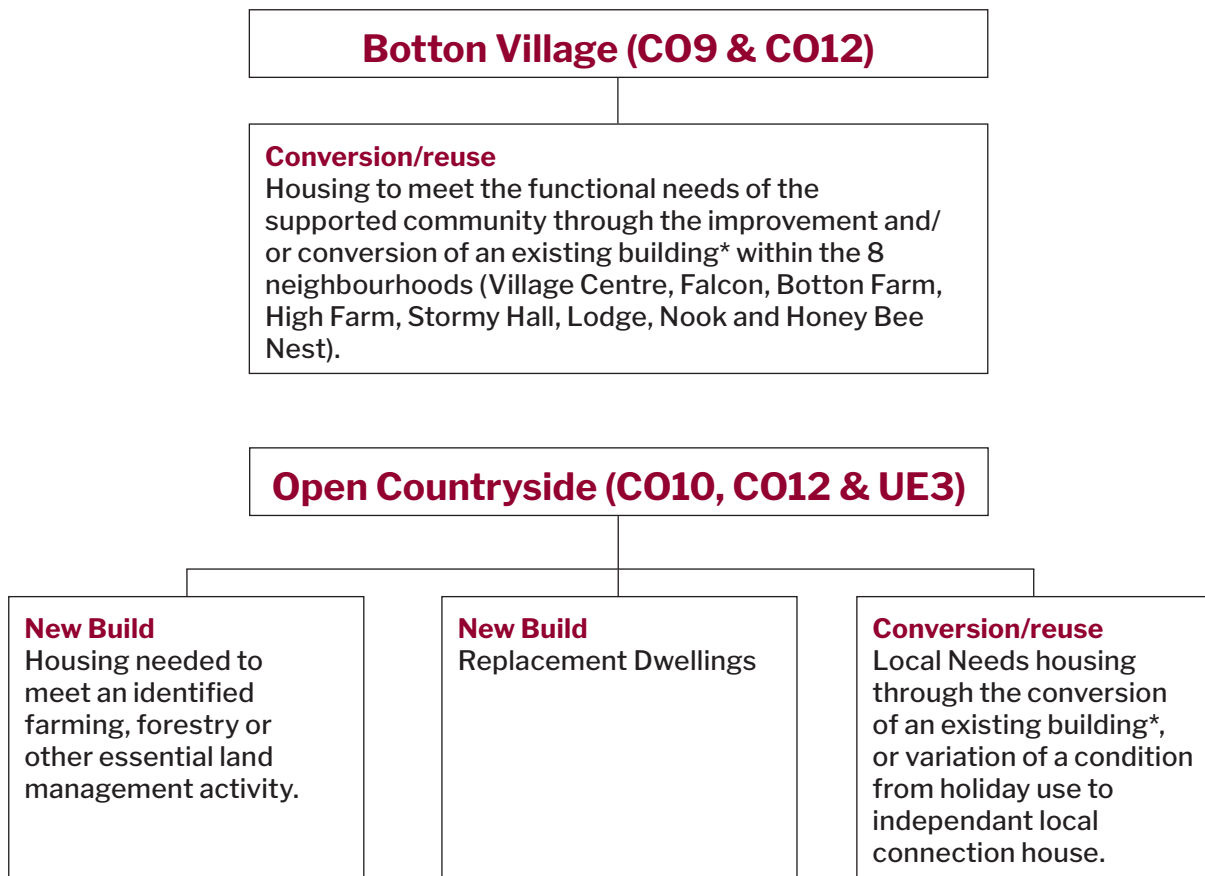
- 7.22 The National Park lies within commuting distance of Teesside, York and Leeds and also attracts people who want to retire or buy holiday homes. Demand for housing is strong and house prices have been high in relation to the rest of the Yorkshire and Humber region for many years. Affordability remains a problem for many communities. Increasing levels of second home ownership can also reduce the vitality of villages particularly in villages close to the coast and in the most attractive moorland villages.
- 7.23 Opportunities for new housing development that supports National Park purposes are very limited and need to be considered carefully in terms of how they can best support local communities. As a protected landscape the conservation of open countryside and important undeveloped spaces within villages is a fundamental part of the first National Park purpose. The Government makes clear through the National Parks Circular that National Parks are not suitable locations for unrestricted housing, and that the focus should be on providing for local housing needs through the provision of affordable housing and housing to support local employment opportunities and key services. The NPPF also requires that great weight should be given to conserving landscape and scenic beauty in the National Parks and identifies them as areas where development should be restricted. This Plan therefore focusses on meeting local housing need rather than meeting the objectively assessed need for new homes in line with national policy.
- 7.24 The strategy for housing in this Local Plan is:
- a) To meet a significant element of housing demand and need in the Local Service Centre of **Helmsley**, in order to help widen local housing choice and support local services. This will be achieved through the development of land allocated for new open market and affordable housing in the adopted Helmsley Local Plan and through Policy CO6.

- b) To allow for a more limited amount of housing including principal residence and affordable housing on suitable small sites in **Larger Villages**. 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 whilst respecting the character and form of the built environment. This will be achieved through Policies CO7 and CO11.
- c) To permit small schemes of local needs housing on suitable small sites in **Smaller Villages** to meet the needs of local people in a way that will maintain the tranquil rural character of these settlements. This will be achieved through Policies CO8, CO11 and CO13.
- d) To encourage the delivery of affordable housing to meet local needs and provide new housing opportunities for a younger population across all settlements. This will be achieved by encouraging affordable schemes in Larger and Smaller Villages through Policy CO11, **Rural Exception Sites**, which allows affordable dwellings that meet a specifically identified local needs on sites where housing development would not normally be permitted.
- e) To protect **Open Countryside** from inappropriate housing development, in line with established national policy whilst recognising that some new housing may be needed as an exception to help meet the needs of agricultural, forestry or other essential land management workers. This will be achieved through Policy CO10.
- f) To avoid new homes becoming **second or holiday homes**. This will be achieved by applying principal residence and/or local connection restrictions to all new housing other than in Helmsley. This will be achieved through Policies CO7, CO8 and CO13.
- g) To achieve a more balanced population demographic by encouraging **smaller, more affordable homes** to provide more choice in the housing stock and help retain a younger population demographic. This will be achieved through Strategic Policy M and Policies CO6, CO7 and CO8.

7.25 The following guide helps to explain this strategy:

**Housing Policies Guide**





\*A building which contributes to the character of the local built environment and reflects the vernacular architecture of the North York Moors; or is important in terms of its connection with local history or culture; or a building that is unique to the local area; or a building which represents a good surviving example of an historic architectural style; or a building of exceptionally high quality and design.

**Amount and location of new housing**

- 7.26 No land is allocated for housing in this Local Plan apart from any housing elements of Environmental Enhancement Sites (Policy ENV13). Housing delivery will be through land allocated in the Helmsley Local Plan, development of suitable small sites in Smaller and Larger Villages (including custom and self-build housing), conversions and affordable housing ‘exception’ sites identified in conjunction with Rural Housing Enablers.
- 7.27 A Strategic Housing Market Assessment (SHMA) was carried out in 2016 which noted that the key requirement in the National Park is for affordable housing to meet local needs. The SHMA concluded that an annual figure of 29 dwellings, mainly 1 and 2 bedroom units for affordable housing and smaller 2 and 3 bedroom units for general housing needs, together with some specialist housing for the growing elderly population would meet local needs and have the potential to stabilise population levels. There is little need for larger properties. The nationally described method of calculating housing need and the ‘Housing Delivery Test’ does not apply in National Parks.
- 7.28 The Plan anticipates that a minimum of 551 new homes (29 per year) will be completed between 2016 and 2035. However, decisions regarding new house building will not be driven by the number of dwellings that are to be

provided; instead they will be based on whether the proposal will help to meet community needs whilst being of a quality that respects National Park purposes. It is recognised that National Park communities face problems of housing affordability, declining population and loss of services. Small scale, sensitively designed schemes which are assets to the community will therefore be supported regardless of past building rates. The rate of 29 new homes per year should be regarded as a minimum and will not be used to put a moratorium on new housing development once it is reached. A Housing Trajectory showing anticipated housing delivery over the lifetime of the Plan is at Appendix 5. Should monitoring of the trajectory reveal that the rate of 29 homes per year is not being reached over a sustained period, policies relating to housing supply in this Plan will be reviewed.

- 7.29 A supporting Land Availability Assessment (LAA) indicates which sites in the National Park may be suitable for development and which have permission for development. This will be updated annually.
- 7.30 Proposals for residential development in Helmsley will be determined in accordance with the policies in the Helmsley Local Plan. The Helmsley Local Plan was produced jointly by the National Park Authority and Ryedale District Council and adopted in July 2015. It sets out a vision for Helmsley and includes housing policies which cover residential development on allocated sites, windfall development and affordable housing provision. Proposals for residential development in Helmsley will be determined in accordance with these policies.
- 7.31 Policies CO6, CO7 and CO8 allow for housing development on suitable small sites in Helmsley and villages listed in the settlement hierarchy. These sites must be within the main built up area and 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. This will generally be sites capable of accommodating no more than five dwellings in Helmsley and the Larger Villages and no more than two dwellings in Smaller Villages. 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. 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.
- 7.32 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. It is not intended to allow consolidation of sporadic outlying development or to allow villages to expand into open countryside. Gaps created by the development of rural exception sites which are not part of the main built up area of the settlement will not be considered to be suitable small sites. It is also important to recognise the amenity value of certain undeveloped spaces within the main built up area of settlements and therefore not every site will be considered suitable for new housing.
- 7.33 The National Park contains many settlements with a loose knit character where there is existing outlying development beyond the main core area. In these settlements the outlying development and any land between it and the core area are not regarded as part of the main built up area of the village. Any small plots of land within an existing frontage of the outlying development would not therefore be regarded as suitable small sites. 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.

### Types of housing

- 7.34 Policies within this Local Plan support the provision of a range of types of housing. The vast majority of existing housing in the National Park is open market housing without any restrictions regarding occupation or price and more open market dwellings are being provided in Helmsley in accordance with the Helmsley Local Plan.
- 7.35 **Principal residence housing.** A form of market housing controlled by a mechanism which ensures it can be lived in by anyone but only as their main residence. Villages where a large proportion of properties are used as second homes can suffer from a lack of vitality particularly during winter months and this can lead to an erosion of the sense of community within the village. Local services and facilities can also decline in the absence of all year round support. Requiring new dwellings to be occupied as a principal residence avoids further loss of stock to second homes in the National Park whilst enabling the local economy to benefit by providing new housing for people coming into the area to live, work and contribute to the local community. The Authority will therefore allow principal residence housing in Larger Villages to support their service function.
- 7.36 Principal residence housing must be used as the principal residence of the household living in it but does not have any price restrictions or any local connection requirements. Although there is likely to be a small reduction in the value of the dwelling compared with an open market dwelling, the reduction is significantly less than with a local connection condition. Principal residence requirements will be secured through a planning condition and will be monitored by the Authority.
- 7.37 **Local needs housing.** Since 1992 the Authority has used local occupancy conditions to ensure that new housing is used to meet the needs of local people. There is ongoing local support for this approach which is continued for new housing development in Smaller Villages and for conversion of buildings in Open Countryside. In comparison with previous policies, however, the criteria used to determine local occupancy have been widened and are now referred to as 'local connection' criteria. Their aim is to ensure that new housing developments in Smaller Villages are for the benefit of existing and future residents who make a contribution to the National Park society and economy. Policy C013 sets out the criteria that will be applied to local needs housing schemes. The local connection requirement will be secured through a planning condition and will be monitored by the Authority.
- 7.38 **Affordable housing.** In recent years many small affordable housing schemes have been successfully developed in the National Park through partnership working with Rural Housing Enablers, Registered Providers (housing associations), Local Housing Authorities and Homes England (formerly the Homes and Communities Agency) as part of the North Yorkshire Strategic Housing Project. These schemes have delivered social and affordable rented housing as well as shared ownership dwellings in local communities and this Local Plan supports the provision of further affordable dwellings which meet local needs.

- 7.39 Affordable housing is defined in the NPPF and the same definition is included in the Glossary to this Plan (Appendix 4). Recent changes to the definition of affordable housing mean that many different types of housing development now come under the umbrella of affordable housing, including ones that have not so far been common in the National Park such as discounted market sales housing and affordable private rent. Such new forms of affordable housing mean that local landowners and small developers as well as Registered Providers may now put forward affordable schemes in the National Park provided they comply with policies in this Plan, including that the proposed dwellings will remain affordable in perpetuity.
- 7.40 The link between local incomes and prices on the open market is a key factor in the assessment of affordability and the Authority will be looking for schemes where the monthly rent and/or mortgage costs are less than 30% of gross monthly household income. If proposals are for any form of low cost home ownership, the Authority will also look at the level of deposit needed to secure a mortgage as this can take a property out of reach of people who need affordable housing. Applicants should be aware that some affordable models, for example, developments where sales are discounted below the prevailing market value, may still not deliver genuinely affordable options for local residents and these would not be supported by the Authority. Similarly, affordable rents may need to be less than 80% of local open market rents to be affordable for local households.
- 7.41 Occupancy of affordable dwellings will be restricted by means of a Section 106 agreement or planning condition to those in housing need who require affordable housing and also have strong links to the local community. The agreement or condition will require the dwellings to remain affordable in perpetuity.

### **Size of new dwellings**

- 7.42 There is a predominance of larger homes within the existing housing stock in the National Park. In 2011 44.2% of homes were detached houses, compared to 22.6% for England and Wales, and there were 3.1 bedrooms on average per house compared to 2.7 nationally. At the same time there is a trend towards smaller households and there is also evidence that affordability is a problem, particularly for younger people needing to set up home for the first time.
- 7.43 In order to achieve a better balance within the housing stock, all new build housing developments within Larger and Smaller Villages together with new build 'windfall' developments in Helmsley should meet the need for smaller dwellings. The exact size of units in individual proposals will need to take account of the character of any surrounding development and the particular circumstances of the site but as a general principle the Authority is looking for housing development that will meet the growing need for dwellings for smaller households.

## Policy UE2 - Camping, Glamping, Caravans and Cabins

Development will only be permitted for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) where:

1. It is within Helmsley or the main built up area of a settlement listed in the hierarchy outlined in Strategic Policy B and it is in close proximity to an existing residential unit which will be used to manage the accommodation, or;
2. It is in Open Countryside and is not isolated from an existing business or residential unit which will be used to manage the accommodation.

In order to respect the sensitivity of the local landscape character type all sites must be screened by existing topography, buildings or adequate well-established vegetation which is within the applicant's control and where arrangements for its long term maintenance can be demonstrated.

The following criteria will be expected to be met:

- a) The accommodation avoids extensive alteration to ground levels and has a low environmental impact through limited foundations to enable the accommodation to be removed without harm to the landscape;
- b) It does not lead to unacceptable harm in terms of noise and activity on the immediate area;
- c) The proposal does not, in combination with existing development detract from the character, tranquillity or visual attractiveness of the area; and
- d) The accommodation is of a high quality design which complements its surroundings.

In additional to the above criteria:

- i. For camping and glamping proposals the net floor space of each unit is less than 25sq.m and the development is not connected to a foul drainage system. Accommodation which exceeds these requirements will be considered as a cabin and chalet proposal;
- ii. For cabin and chalet proposals the development is in close proximity to and adequately accessible to the existing road network; and the site provides adequate levels of car parking that is sympathetically designed to complement the site and its surroundings.

Proposals for new static caravans or the conversion of existing camping or caravanning sites to statics will not be permitted. Exceptions will be considered where the proposal will reduce the visual impact of the site in the wider landscape.

Applications will be expected to provide details outlining the proposed management arrangements for the accommodation.



## Explanation

- 5.9 Policy UE2 is intended to cover applications for traditional camping and caravan accommodation as well as newer forms of non-permanent tourist accommodation. This includes accommodation fabricated off site and which can be easily removed without harm to the landscape, but which is likely to still form a long-lasting but reversible form of development. This policy also applies to new types of ‘glamping’ or alternative types of accommodation (pods, yurts, teepees, shepherd huts etc.) that have evolved in response to a quickly changing market, and which can support an existing rural business, farm or estate. It applies across the whole of the National Park, thereby allowing for low impact, non-permanent sustainable proposals to come forward across the National Park.
- 5.10 The intention of the policy is to allow for small scale and sensitively designed holiday accommodation to support local businesses and allow people to enjoy the special qualities of the National Park whilst avoiding sporadic development in unsuitable and unsustainable locations. The policy directs new holiday accommodation to the main built up area of listed settlements or areas where there is already an existing business or dwelling which can be used to manage the site. This could include on a farm or at a public house for example. This is to ensure there is adequate and active management of the site to prevent any local amenity issues such as noise or other disturbance from occurring. Applicants will be expected to provide details of proposed management arrangements. Parcels of land isolated from the managing unit are not considered to be suitable locations for development.
- 5.11 A distinction is made between typically smaller scale camping and glamping type accommodation and chalet, cabin and caravan sites where proximity to the road network and adequate car parking arrangements are also required. This is to allow for some forms of low impact camping and glamping type development to be located in areas which cannot be accessed by car, but can be accessed by foot or bicycle, for example near a Public Right of Way. The Authority recognises that the distinction between a ‘glamping’ and chalet or cabin type development may sometimes not be clear cut; hence the policy treats proposals above 25sq.m and/or those which are attached to the foul drainage system as cabin or chalet developments, and additional criteria apply.
- 5.12 The policy refers to ‘small scale’ developments. Scale may vary according to the type of accommodation and the sensitivity of its location. Small scale is intended to mean development (when considered cumulatively with any existing development) that conserves the natural beauty, wildlife and cultural heritage of the National Park. As a guide, sites comprising no more than 12 units (including any existing units) are likely to be considered small in scale.
- 5.13 Where sites are screened by existing vegetation this should be in the ownership of the landowner and its management over the duration of the use will be expected and the Authority may make this a condition of permission. The Authority will also define the type of units as part of the planning permission to maintain future control over replacement units.
- 5.14 The policy does not allow for the provision of new static caravans, except where existing sites are being remodeled in order to bring about environmental improvement. The term ‘static caravan’ refers to any unit that falls within the

legal definition of a caravan, which is capable of being used for permanent human habitation and is a traditional metal or plastic skinned box caravan or 'park home' type development.

- 5.15 The Authority wishes to control the number of new static caravans for a number of reasons. Firstly, this type of development can cause visual harm and is considered incongruous within a nationally protected landscape. Secondly data indicates that 72% of current caravans and chalets were not available for public hire<sup>32</sup> in 2017 and were being used as main homes, second or holiday homes or for prolonged periods of residence. Thirdly, there has also been a loss of touring caravan and camping accommodation over time as units have been replaced by static units. These types of accommodation are the only form of tourism accommodation that has seen a decline in numbers or sites in recent years. The Authority wishes to maintain a range of accommodation types, including for those who may be on a lower income or engaged in voluntary or educational activities.
- 5.16 In the case of cabin or chalet development units will be required to be of a high quality design, be of lightweight construction and should have adequate spacing between the units. There should be minimal hardstanding for car parking or service roads and external lighting will be expected to be kept a level where it is the least amount needed. The expectation is that any amenity blocks should utilise existing buildings on the site. If there are no suitable buildings, new structures may be acceptable if they are of lightweight design and construction so that they can easily be removed from the site. Applicants are referred to paragraph 5.6 which sets out the occupation limitations for tourism and recreation developments.

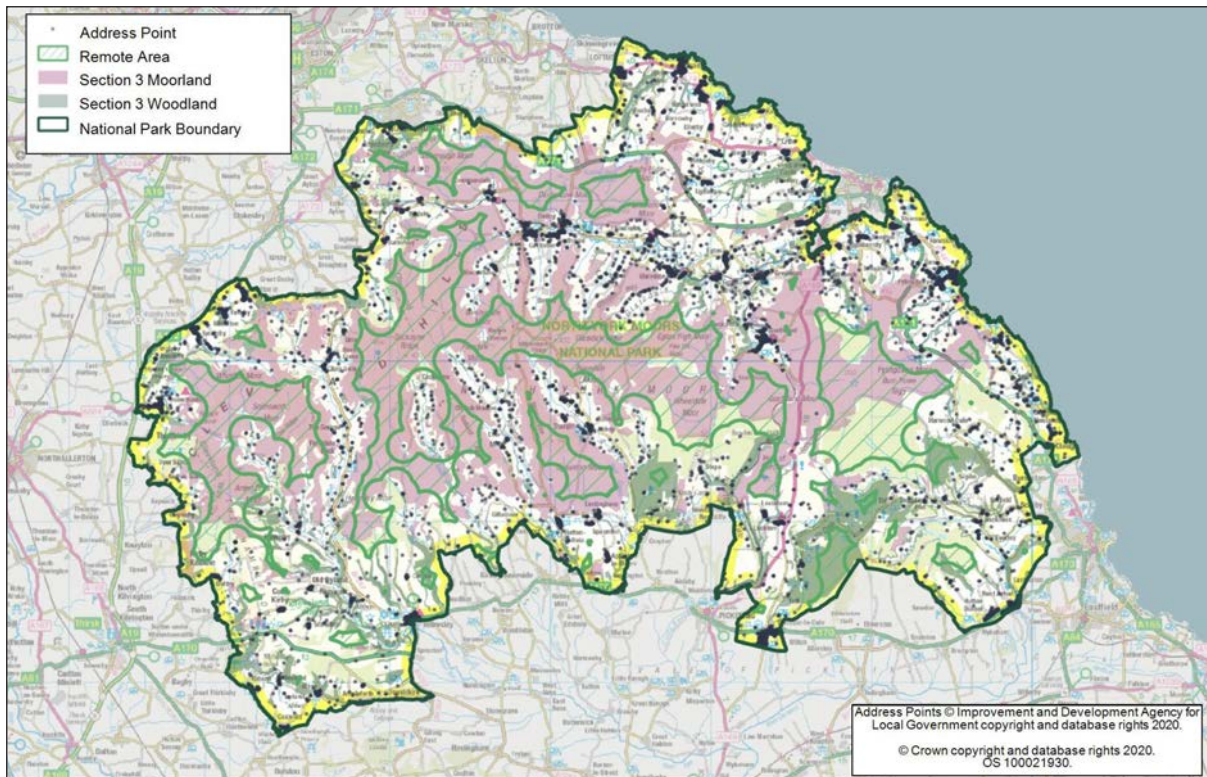


Figure 4 – Remote Areas

### Policy ENV4 - Dark Night Skies

The darkness of the night skies above the National Park will be maintained and where possible enhanced. All development will be expected to minimise light spillage through good design and lighting management and the following lighting principles will be applied:

1. No external lighting will be permitted in Remote Areas;
2. In Open Countryside proposals that involve external lighting will only be permitted where it can be demonstrated that the lighting is essential for safety or security reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority;
3. Within settlements listed in the Authority's settlement hierarchy, proposals that involve external lighting will be permitted where it can be demonstrated that the lighting is essential for safety, security or community reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority.

#### Explanation

- 4.42 The ability to experience dark night skies is another of the National Park's special qualities. Dark night skies are the result of large areas of open countryside with few or very sparse settlements, low levels of pollution, the presence of several large forest plantations within the National Park and the expanse of the North Sea to the east of the moorland plateau. These natural characteristics combine so that it is possible to experience especially dark and starry skies from many locations within the National Park.

- 4.43 Dark night skies are an intrinsic part of the quality of the National Park landscape and are important for wildlife including species such as bats, moths and nightjar and therefore contribute to biodiversity. Dark skies are also important for recreation – there is a growing interest in star gazing which in turn has benefits for the local tourism economy.
- 4.44 The policy sets out the principles that will be applied to external lighting proposals across the National Park. Where the development involves works to an existing building, applicants will be encouraged to bring all existing external lighting up to the standards set out in any lighting guidelines adopted by the Authority.