

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0724

Development description: variation of condition 7 of planning approval NYM/2003/0800/CI to allow revised dark skies compliant lighting

Site address: Forestry Commission Dalby Forest Visitor Centre, Low Dalby Road, Thornton-le-dale,

Parish: Thornton Le Dale

Case officer: Miss Emily Jackson

Applicant: Forestry England

fao: Mrs Petra Young, Outgang Road, Pickering, York, YO18 7EL,

Agent: N/A

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text												
1	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Plans</td><td>SLDS-3665-VC-V1</td><td>20/10/2022</td></tr><tr><td>Supporting Information</td><td>N/A</td><td>20/10/2022</td></tr><tr><td>Confirmation of lighting locations</td><td>N/A</td><td>14/11/2022</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be</p>	Document Description	Document No.	Date Received	Plans	SLDS-3665-VC-V1	20/10/2022	Supporting Information	N/A	20/10/2022	Confirmation of lighting locations	N/A	14/11/2022
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Confirmation of lighting locations	N/A	14/11/2022												

Document title

		approved in writing by the Local Planning Authority.
2	GACS00	No external lighting shall be installed anywhere on the application site other than that hereby approved unless otherwise agreed in writing with the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
3	MATS00	The external finish materials of all walls and roofs of the development hereby permitted shall be maintained in full accordance with the details approved under planning permission reference NYM/2003/0800/CI.
4	RSU000	The visitor centre hereby approved shall not be open to the public after 2130 hours on any day unless to facilitate use of the adjacent telescope/observatory facilities or until 2300 for other special events, which shall be held on a maximum of 15 occasions per year as approved under planning permission reference NYM/2019/0812/FL unless the prior written agreement of the Local Planning Authority has been obtained.
5	RSU000	The use of the spaces and rooms within the building hereby approved shall be as shown on the approved plans and there shall be no change to these uses without the prior written approval of the Local Planning Authority.
6	DRGE00	Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas and hard standings shall be passed through trapped gullies installed in accordance with a scheme previously submitted to and approved in writing by the Local Planning Authority.
7	DRGE00	Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10 per cent. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10 per cent. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the

		bund.
8	DRGE00	The private treatment plant treatment approved under planning permission reference NYM/2003/0800/CI shall be retained throughout the life of the development.
Reason(s) for condition(s)		
Reason number	Reason code	Reason text
1	PLAN00	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
3	MATS00	For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4-5	RSU000	In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Strategic Policy A of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the NYM National Park.
6-8	DRGE00	To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.

Consultation responses

Parish
None

Third party responses

None Received

Publicity expiry

Advertisement/site notice expiry date – 15th November 2022

Photograph showing existing lighting on front elevation of Visitors Centre



Photograph showing existing lighting on rear elevation of Visitors Centre



Background

Dalby Forest Visitors Centre is a Forestry Commission operated tourist facility located in Low Dalby, northeast of Pickering, that provides an information point, shop, café, toilets, and exhibition space for those visiting Dalby Forest.

The planning application for the visitors' centre was received in October 2003 and began construction in 2006.

This application seeks to vary Condition 7 of the previous 2003 planning approval (NYM/2003/0800/CI) to allow Dark Night Skies compliant lighting in replacement of the existing lighting on site.

Main issues

Local Plan

The most relevant policies contained within the North York Moors Local Plan 2020 to consider with this application are Strategic Policy C (Design), Strategic Policy J and Policy ENV4 (Dark Night Skies).

Strategic Policy C seeks to maintain and enhance the distinctive character of the national park by considering appropriate siting, orientation, layout and density of proposals in addition to appropriate scale, height and massing and form. Proposals should utilise good quality materials and be of a high-quality, sustainable design that reflects and complements the architectural character and form of the original building and/or that of the local vernacular.

Strategic Policy J states that tourism and recreation development will be supported where: it is consistent with the Authority's principles of sustainable tourism; it does not lead to unacceptable harm to the local landscape; it provides opportunities for all people to increase their awareness and enjoyment of the special qualities of the National Park; it is of a quality and scale that reflects the sensitivity of the local landscape; it does not compromise the enjoyment of existing tourism and recreational facilities or public rights of way; and it does not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

Policy ENV4 states that the darkness of night skies above the National Park shall be maintained and where possible enhanced. All development will be expected to minimise light spillage through good design and lighting management. To ensure this, the following lighting principles will be applied: no external lighting will be permitted in remote areas; and in open countryside or settlements listed in the Authority's settlement hierarchy, proposals that involve external lighting will only be permitted where it can be demonstrated lighting is essential for safety and security and meet/exceed any lighting guidelines adopted by the Authority.

Material Considerations

In December 2020, the North York Moors National Park was designated an International Dark Sky Reserve by the International Dark-Sky Association, one of 20 in the world. As identified in the North York Moors National Park Management Plan 2022-2027, 'Dark Night Skies' are one of the Parks 'Special Qualities' that help to define what makes the North York Moors distinctive and valuable.

Dark Night Skies compliant lighting acts to protect this special quality by reducing light spillage from developments throughout the park. As the Visitors Centre was developed prior to the introduction of Dark Night Skies policy, its current lighting infrastructure is not compliant with guidance.

The Visitor's Centre is a large-scale development with significant light installations across the site, therefore, it is considered that Dark Night Skies compliant lighting would offer a significant enhancement over the existing lighting, reducing light spillage from the site. The applicant also hopes that this would help to promote Astro-tourism on the site, which would increase visitor enjoyment of one of the special qualities of the National Park.

The proposed replacement lighting units are considered to be compliant with the Authority's lighting guidance, offering a mixture of zero-degree upward light output ratio (ULOR), warm white, maximum 3000 kelvin LED luminaires which are more directional and energy efficient than the existing lighting on site. There are no light fittings pointed towards any adjacent residential or commercial properties.

The Authority's Dark Night Skies consultee has expressed no concerns regarding the proposal, stating that the site is an important location from a Dark Night Skies perspective, and therefore, Dark Night Skies compliant lighting is welcomed.

Conclusion

For the reasons outlined above, the updated proposal meets the aims of Strategic Policy C, Strategic Policy J and Policy ENV4, and as such approval is recommended.

Pre-commencement conditions

N/A

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.