

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2022/0719

Development description: prior notification for erection of straw storage building under Part 6

Site address: Thirlsey Farm, Suffield,

Parish: Hackness

Case officer: Mr A Muir

Applicant: JC and AE Malthouse

fao: Mr Chris Malthouse, Thirlsey Farm, Silpho , Scarborough , North Yorkshire, YO130JR,

Agent:

Director of Planning's Recommendation

That No Objections be raised , subject to the following:

Condition(s)

Condition number	Condition code	Condition text																		
1	TIME00	The development hereby permitted shall begin not later than [5] years from the date of this decision.																		
2	PLAN00	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Application Form</td> <td>N/A</td> <td>30.09.2022</td> </tr> <tr> <td>Plans Structural steel detailing</td> <td>N/A</td> <td>30.09.2022</td> </tr> <tr> <td>Location Plan</td> <td>N/A</td> <td>30.09.2022</td> </tr> <tr> <td>Amended Drainage Plan</td> <td>N/A</td> <td>03.11.2022</td> </tr> <tr> <td>Supporting Information</td> <td>N/A</td> <td>30.09.2022</td> </tr> </tbody> </table>	Document Description	Document No.	Date Received	Application Form	N/A	30.09.2022	Plans Structural steel detailing	N/A	30.09.2022	Location Plan	N/A	30.09.2022	Amended Drainage Plan	N/A	03.11.2022	Supporting Information	N/A	30.09.2022
Document Description	Document No.	Date Received																		
Application Form	N/A	30.09.2022																		
Plans Structural steel detailing	N/A	30.09.2022																		
Location Plan	N/A	30.09.2022																		
Amended Drainage Plan	N/A	03.11.2022																		
Supporting Information	N/A	30.09.2022																		
3	MISCO0	If the use of the building for the purposes of agriculture within the unit permanently ceases within five years from the date on which the development was substantially completed, the building shall be removed from the land and the land shall, so far as is practicable, be restored to its condition before development took place.																		
4	GACS00	No external lighting shall be installed in the development hereby permitted. Any variation to this will require a new grant of planning consent from the Local Planning Authority.																		
5	LNDS00	Prior to the development being brought into use, details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the soft landscaping of the site to form a native species rich area along the northern and western boundaries of the site and shall specify plant species, sizes and planting densities for the new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be																		

		maintained in perpetuity.
6	MATS00	The external surface of the roof of the building hereby permitted shall be coloured and thereafter maintained dark grey and shall be maintained in that condition in perpetuity.
7	GACS00	The building shall not be used for the housing of livestock or slurry/manure. The use of the building the subject of this notification for livestock accommodation or slurry/manure storage will require a separate grant of planning permission.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	PLAN00	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan, which seek to conserve and enhance the special qualities of the National Park.
3	MISC00	In order to comply with the provisions of Strategic Policy A and Policy BL5 of the North York Moors Local Plan which seeks to ensure that there is a functional requirement for the building in the long term to justify an exception being made to normal planning policies which seek to restrict new development in the countryside.
4	GACS00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with Policy ENV4 which seeks to protect dark night skies.
5	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.

6	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.
7	GACS00	In order to comply with the provisions of Strategic Policy A and Policy BL5 of the North York Moors Local Plan which seeks to ensure that the proposal will not significantly harm local amenity in terms of noise, odours or level of activity either individually or in combination to justify an exception being made to normal planning policies which seek to restrict new development in the countryside.

Consultation responses

Parish
Insert

Third party responses

Name
None Received

Publicity expiry

Site notice expiry date 23 November 2022



Location of proposed new building



View of location from access gates on western edge of historic farm yard



View of location from junction of east-west footpath and north-south farm access road/bridleway



Example of water storage vessel (3000 litres) to be used on all four corners of proposed building

Background

Thirsley Farm is an established farmstead located in an isolated location on open land between Hackness and Harwood Dale. The group of traditional farmstead buildings are Grade II Listed.

The farming enterprise is quite large and a mixed holding including livestock and productive arable land. Planning permission was granted in 2014 (a revised scheme) for a large agricultural building to house 1,000 bed and breakfast pigs. The proposed building was amended to reduce its impact from public vantage points to the north and took the form of an almost square-plan form under a double ridged roof. One side of the building comprises six bays with the other slightly smaller, at five bays. The permission has been implemented and the development completed.

An agricultural prior notification was submitted in 2019 proposing to extend the building to provide storage space for straw to be used as animal bedding and also for use with the farm's biomass boiler. It was proposed to extend each part of the shed by two and three bays respectively, to match the existing proportions and materials, resulting in a uniform shed. No objections were offered.

A further, identical was put forward in 2020 under prior-notification. Full planning permission was required as the extension was also to provide housing for livestock and is within 400m of a protected dwelling.

The current notification seeks to erect a steel portal building clad in Yorkshire boarding with grey cement roofing sheets over. The building is to provide straw storage for the agricultural unit and in particular as bedding and fuel for the biomass boiler. The new building is to be constructed to the immediate north of the existing modern agricultural buildings and will measure 18.2m square, 6.7m to eaves and 9m to ridge. The original application did state that the ridge height was 23m however that has since been clarified.

Main issues

Under the Town and Country Planning (General Permitted Development) Order Part 6, the prior notification procedure does not allow the Authority to look at the principle of the development and can only assess the proposal in relation to its siting (landscape impact), design and impact on ecology and archaeology.

Local Plan

Relevant policies of the Local Plan are Policies ENV1 (Trees, Woodlands Traditional Orchards, and Hedgerows), ENV4 (Dark Night Skies), ENV7 (Environmental Protection) and BL5 (Agricultural Development).

ENV1 seeks the retention and enhancement of existing trees, woodland, traditional orchards, and hedgerows that are of value on all developments.

ENV4 seeks to ensure that the dark night skies above the National Park are maintained and where possible enhanced.

ENV7 seeks to protect amongst other things, the water quality within the National Park including groundwater, rivers, streams, and coastal and bathing waters.

BL5 seeks to ensure that there is a functional need for new agricultural buildings which have been designed for the purposes of agriculture and that the site is related physically and functionally to existing buildings associated with the business.

The Authority is satisfied that the proposed agricultural building is suitably designed for the purposes of agriculture in terms of its scale and location and will not have an adverse impact on the character of the wider open agricultural landscape of this part of the Park.

The farm is visible in the landscape but nestles quite well amongst the mature tree belts and screening. Consequently, the original, historical yard is quite tightly defined and characterised by buildings of a similar size, scale and design. The proposed modern building under this notification is located to the immediate north of the existing modern range of buildings, beyond the tree belt. Views of the building can be obtained from the nearby public rights of way network, however as the proposal relates to a relatively modest building in close proximity to much larger modern building, the visual impact is considered to be relatively low.

The Authority's Ecologist has requested appropriate provision of guttering to the new building and some form of water storage or soakaway is included to avoid the creation of additional dirty water. Based on the above advice, the applicant has amended the scheme to include for this.

The building is proposed for straw storage in association with the existing agricultural enterprise. On the basis that the building is in close proximity to a livestock building, it is considered reasonable to include a condition restricting its use to storage only and not to be used for livestock housing or manure storage as this purpose would need a separate grant of planning permission given its proximity to residential dwellings. Also, on the basis that the other modern buildings carry a condition requiring it to be removed from the site if agricultural use ceases, it is also considered necessary to repeat the condition as it is effectively one agricultural development. Further conditions include a landscaping scheme to ensure that the hard edges are softened to improve views from the rights of way network and continue the scheme around the entire development of modern buildings in this location. Finally, a lighting condition has been applied in order to prevent impacts upon the dark night skies in this particular remote rural location.

In view of the above, Officers are satisfied that there is a functional need for the building and that the building has been designed for the purposes of agriculture within the unit. It is not considered that the building would cause unacceptable harm to local

ecology, archaeology or the wider National Park landscape or the setting of the house. Consequently, no objections are offered.

Pre-commencement conditions

N/A

Contribution to Management Plan objectives

Approval is considered likely to help meet objectives 9 and 19 which seeks to increase the intrinsic darkness of the NYM dark night sky reserve and maintain a strong and viable farming and land management community that delivers more for climate, nature, people and place.

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.