

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0044

Development description: erection of agricultural livestock and storage building and associated hardstanding

Site address: Mill Inn, Harwood Dale, Scarborough

Parish: Harwood Dale

Case officer: Mrs Jill Bastow

Applicant: Mrs Hazel Coverdale
Applegarth Farm, 5 The Lane, Mickleby, Saltburn, TS13 5LU

Agent:

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text												
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.												
2	PL01	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1"><thead><tr><th>Document Description</th><th>Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed Site Layout</td><td>002</td><td>12 July 2023</td></tr><tr><td>Location Plan</td><td>003</td><td>12 July 2023</td></tr><tr><td>Proposed Plans & Elevations</td><td>003</td><td>12 July 2023</td></tr></tbody></table>	Document Description	Drawing No.	Date Received	Proposed Site Layout	002	12 July 2023	Location Plan	003	12 July 2023	Proposed Plans & Elevations	003	12 July 2023
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3	GPMT05	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.												
4	MC07	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.
5	AC20	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be Dark Skies compliant, and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	RSN PL01	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	RSN GPMT02	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 the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
4	RSN MISC05	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.
5	RSN AC01	In accordance with Policy ENV4 which seeks to protect dark night skies.

Consultation responses

Parish

Comments that whilst the amendments are an improvement on the initial proposals, considers that the building would be better sited on the field to the north west of the Inn (on the other side of the track to Bumble Bee Hole).

Environment Agency

No comments received

Environmental Health

No objections

Third party responses

Mr Mark Pashley, Chapel Farm, Helwath Road, Harwood Dale – Comments that the barn would be better located in the field behind the house which offers safe access via an existing track. The proposed location involves the removal of existing trees and changes the overall aesthetics of the local area. There would be no easy means of access for hay/straw deliveries without creating issues on the highway.

(Note: These comments are made in respect of the proposal for a new access which has been omitted from the proposal)

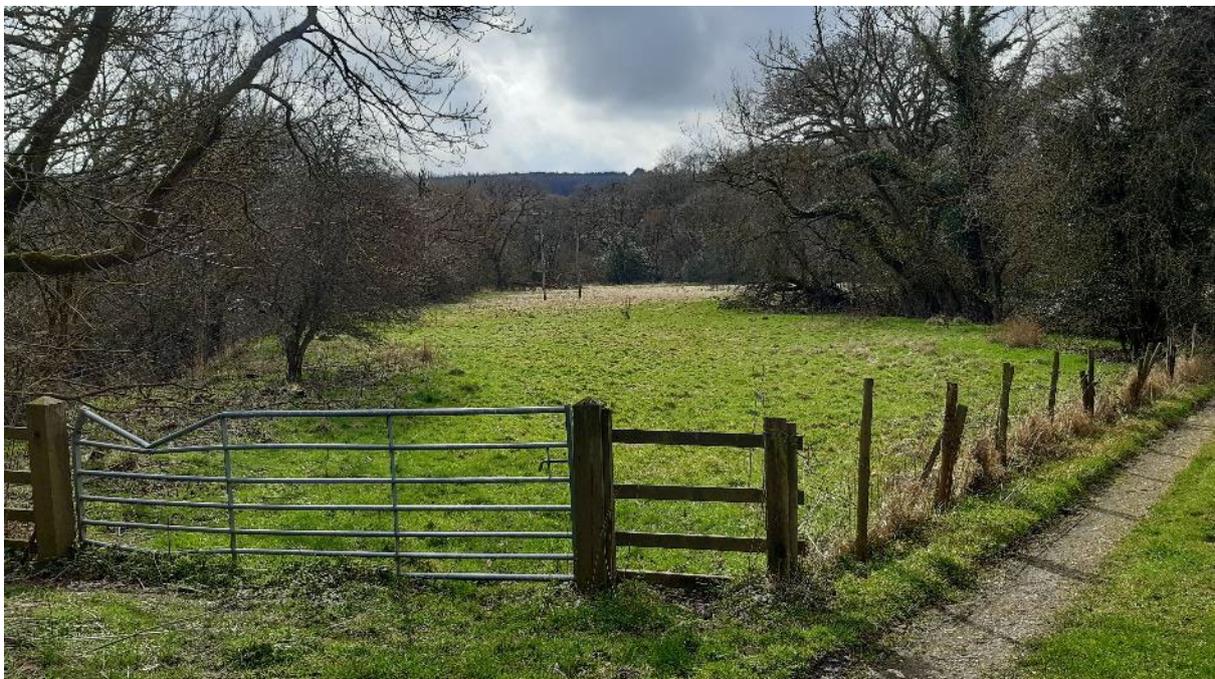
Publicity expiry

Advertisement/site notice expiry date: 19 April 2023

Front elevation of the Mill Inn with the proposed location of the agricultural building to the west behind the trees along the beck



Location of the agricultural building in the field to the west of the Mill Inn, accessed from the existing twin trod track



Location of the agricultural building in the field to the west of the Mill Inn, accessed from the existing twin trod track



Background

The Mill Inn occupies a prominent position at the side of the road approx. 1km to the west of Harwood Dale. It comprises the main public house and a range of outbuildings to the rear that originally contained the mill wheel. To the front is a small carpark. The new owners have also acquired the land surrounding the public house to the north, south and west. Immediately to the north of the building is an access track serving the neighbouring property some 200m to the northwest.

Planning permission is sought for the siting of a general purpose agricultural shed on the land immediately to the west of the Mill Inn, with access taken from the lane to the rear (north). The building would measure 14 metres by 8 metres with an eaves height of 3.9 metres and ridge height of 5.9 metres. The hard standing area around the building will be stoned with crushed limestone from a quarry at Pickering.

As originally submitted the application proposed to site a larger building in the middle of the field to the west of the Mill Inn. The plans were then amended to a smaller building located towards the northern end of the same field but with a new access formed from the public house car park with a new crossing over the beck. Given the poor visibility onto the highway at this point and the constraints to development provided by the trees, the plans were amended again to the current proposal to utilise the existing access track.

Main issues

Local Plan

The relevant policies of the Local Plan against which to consider the application are Strategic Policy C - Quality and Design of Development; Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity; Strategic Policy K - The Rural Economy; Policy ENV4 - Dark Night Skies; and Policy BL5 - Agricultural Development.

Discussion

Policy BL5 sets out a number of criteria that proposals for new agricultural buildings are expected to meet.

The form, height and bulk of this modestly sized building is considered appropriate to its setting and will not have an adverse impact on the wider landscape given the screening provided by the surrounding trees and hedgerows. Furthermore, the proposed location is both physically and functionally related to the Mill Inn such that where views are afforded of the building it will be in the context of the existing buildings.

The building is designed for the purposes of agriculture and the applicant has demonstrated a functional need for the building to sustain the agricultural activity (cattle and sheep) on this 7 hectare small holding particularly as there are no other

suitable buildings. It is noted that the Mill Inn outbuildings are in a poor state of repair and not suitable for more agricultural use.

Furthermore, given the separation between the site and the neighbouring properties, it is not considered that the proposal will significantly harm local amenity in terms of noise, odours or level of activity.

With regard to the impact on sites of nature conservation interest, a SCAIL appraisal has been submitted as part of the application. The Authority's Ecologist has confirmed that the results show that the development will not breach the 1% threshold for protected sites within the North York Moors, and therefore there are no further issues.

Furthermore, an Arboricultural Report was submitted in support of the application when the proposals included a new access track and crossing over the beck. However as amended the proposal will use the existing access track to the north of The Mill Inn and the existing field gate such that no trees will be adversely affected by the proposal. It is noted that the Arboricultural Report does recommend the removal of a number of trees that are in a poor condition or dead, that are self-seeded, of low-moderate landscape amenity value or are affecting the structural integrity of the outbuildings to the Mill Inn. However, those mature trees in good condition and of high landscape value (Horse Chestnut, Ash and Hawthorn) will be retained.

In view of the above it is considered that the proposal is reasonable required for the purposes of agriculture and has been designed to meet those needs with limited impact on the landscape of the National Park and as such the proposal complies with Policy BL5 and approval is recommended.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

Not applicable in this case.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.