

# North York Moors National Park Authority

## Delegated decision report

Application reference number: NYM/2023/0347

Development description: installation of 20 ground mounted solar panels

Site address: Hayburn Dene, Staintondale

Parish: Staintondale

Case officer: Miss Emily Jackson

Applicant: Mr Kelsall McEwen  
Hayburn Dene, Staintondale, Scarborough, YO13 0AY

Agent: N/A

## 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	<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/Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td>N/A</td><td>14th June 2023</td></tr><tr><td>Proposed elevations and dimensions of Solar Panels</td><td>N/A</td><td>14th June 2023</td></tr></tbody></table>	Document Description	Document/Drawing No.	Date Received	Location Plan	N/A	14th June 2023	Proposed elevations and dimensions of Solar Panels	N/A	14th June 2023
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Location Plan	N/A	14th June 2023									
Proposed elevations and dimensions of Solar Panels	N/A	14th June 2023									
3	MC14	If the use of the solar panels hereby approved permanently ceases, it shall be removed from the grounds of Hayburn Dene within six months of that cessation and the site shall, as far as									

Document title

		practical, be restored to its condition before development took place.
4	MC00	The solar panels hereby approved shall have black frames and thereafter be so maintained.

**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 MISC09	In order to return the land to its former condition and comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape of the National Park.
4	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.

**Consultation responses**

**Parish**

No Objection

**Third party responses**

None Received

**Publicity expiry**

Advertisement/site notice expiry date – 7<sup>th</sup> July 2023

Photograph showing land to southwest of property in which 20 ground mounted solar panels are proposed to be sited in two blocks of 5x2 panels on area indicated in red.



Photograph showing ariel image of Hayburn Dene (seen at top of image). Proposed solar panels to be sited to southeast of property. Neighbouring property, Bridge Cottage can also be seen to south of site.



## Background

Hayburn Dene is a large, detached bungalow set within substantial grounds in a loose ribbon of development located to the south of Staintondale. The property is well screened on the northwest and southwest elevations and faces open land on the other two sides. The large grounds of the property extend to the south and eastern elevations of the property, with a steep topography that slopes downwards towards the southern boundary of the site.

There is no previous planning history for the property that would impact this application.

This application seeks permission to install 20 ground mounted solar panels on land southeast of the property, within the domestic curtilage. The panels would be arranged in two blocks of ten panels, arranged in a 5x2 panel layout. Each block of ten panels would measure 5 meters in length by 3.4 meters in width and be positioned at a 22-degree angle to sit flush with the topography of the site, giving the panels a maximum height of 60cm.

## 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 A (Sustainable Development), Policy ENV8 (Renewable Energy), Policy CO17 (Householder Development).

Strategic Policy A states that a positive approach to new development will be taken in line with the presumption of sustainable development as set out in the National Planning Policy Framework and where decisions are consistent with the National Park Statutory Purposes, using the Sandford principle if necessary. Sustainable development is development which: is of high-quality design and scale that reinforces the character of the local landscape; supports the function and vitality of local communities; protects or enhances natural capital and ecosystem services; builds resilience to climate change through adaptation and mitigation and does not reduce the quality of soil, air and water in and around the National Park.

Policy ENV8 states that proposals for the generation of renewable energy will only be permitted where: it is of appropriate scale and design to the locality; it respects and compliments the existing landscape character type; it does not result in an unacceptable adverse impact on the special qualities of the National Park; it meets local energy needs; it provides environmental enhancement or community benefits; and where it makes provision for the removal of the facilities and reinstatement of the site should it cease to be operational.

Policy CO17 seeks to ensure that development within the domestic curtilage of dwellings should take full account of the character of the local area and the special

qualities of the National Park. Development will only be permitted where: the scale, height, form, position and design of new development do not detract from the character and form of the original dwelling and its setting; the development does not adversely affect the amenity for the existing and neighbouring occupiers; and that the development reflects the principles of the Authority's design guide.

### Material Considerations

As outlined in Outcome One (Addressing Climate Change) of the NYMNP Management Plan 2022-2027, utilising renewable energy sources throughout the park can reduce greenhouse gas emissions and assist in meeting the regional ambition of being a carbon negative economy by 2040. However, such proposals must be of an appropriate siting and design to ensure they do not have an adverse impact on the special qualities of the National Park.

Overall, the scale and position of the proposal is considered to be acceptable as the panels would be well screened from any wider views from the north, east and west from the existing mature trees and natural steep topography of the site. Whilst the site's upwards topography does leave views into the site from the south somewhat open despite existing mature vegetation below, the applicant has recently planted a selection of evergreens along the southern boundary of the proposed solar panel site, which once established, will screen the solar panels from the south.

Additional consideration has been given to the impact on neighbouring amenity for Bridge Cottage located south of the proposed site, however, it is considered that the additional evergreen planting on the southern boundary of solar panel site is sufficient to screen the panels when 'looking up' the bank from the neighbouring property. No objections have been received for the proposal, and therefore, it is not considered the development would be harmful to the character of the local landscape or setting of the wider National Park.

For the avoidance of doubt, a condition has been applied for the equipment to be removed within six months and the site returned to its former condition in the case that the equipment was to permanently cease.

### Conclusion

For the reasons outlined above, the proposal meets the aims of Strategic Policy A, Policy ENV8 and Policy CO17 and as such, approval is recommended.

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

The proposal is not considered to unduly affect any people with protected characteristics.

### 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.