

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2023/0426

**Development description:** use of land for the siting of one glamping pod for holiday letting purposes with associated access path

**Site address:** Prospect House Farm, Hay Lane, Scalby,

**Parish:** Newby and Scalby

**Case officer:** Mrs Jill Bastow

**Applicant:** Mr & Mrs Joe & Kimberley Marshall  
Prospect House Farm, Hay Lane, Scalby, Scarborough, YO13 0BH,

**Agent:** MWCF Ltd  
fao: Mr Michael Forster, 15 The Lane, Mickleby, Whitby, TS13 5LU, England

## 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	PL02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved.
3	UOR12	The glamping pod hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose 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.
4	UOR15	The glamping pod hereby permitted shall form and remain part of the current Planning Unit presently known as Prospect House Farm as shown edged blue/red on the site location plan dated 4 July 2023. The glamping pod shall not be let out or used in any way if the holiday letting unit is functionally separated

		(either Freehold or Leasehold) and shall at all times remain together in the same overall Planning Unit.
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.
6	LD19	All tree work shall be carried out in accordance with the Arboricultural Impact Assessment and Method Statement by Key Tree Solutions received on 30 August 2023.
7	LD21	The glamping pod hereby approved shall not be brought into use until a full specification of compensatory tree planting as recommended in the Arboricultural Impact Assessment and Method Statement by Key Tree Solutions received on 30 August 2023 has been submitted to and approved in writing by the Local Planning Authority. The specification shall include the quantity, size, species, and positions or density of all trees to be planted, how they will be planted and protected and the proposed time of planting. The tree planting shall be carried out in accordance with the approved specification.
8	PDR09	Notwithstanding the provisions of Class B, Part 5 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015, or any Order revoking and re-enacting that order, no development required by the conditions of a site license shall be permitted without the granting of planning permission by the Local Planning Authority.
9	MC00	If the use of the glamping pod hereby approved for holiday letting purposes permanently ceases, the glamping pod shall be removed from the land in its entirety within 6 months of the use ceasing and the land shall, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing.
10	MHC-03	The development must not be brought into use until the access to the site at Prospect House Farm, Hay Lane, Scalby 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

		<p>following requirements:</p> <ul style="list-style-type: none"> <li>• The crossing of the highway verge must be constructed in accordance with the approved details and Standard Detail number E9A.</li> <li>• Any gates or barriers must not be able to swing over the existing or proposed highway.</li> <li>• The final surfacing of any private access within 1 metre of the public highway must not contain any loose material that is capable of being drawn on to the existing or proposed public highway.</li> </ul> <p>All works must accord with the approved details.</p>
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**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 UOR15	The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted to provide facilities for visitors in line with Policy UE2 of the Local Plan.
4	RSN UOR15	The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted to provide facilities for visitors in line with Policy UE2 of the Local Plan.
5	RSN AC01A	In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies.
6	RSN LD02	In order to comply with the provisions of Policy ENV1 of the

		North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
7	RSN LD01	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.
8	RSN PD03	In order to enable the Local Planning Authority to retain control over future buildings at the site in the interests of safeguarding the landscape character of the locality and in line with Strategic Policies A and C and Policy UE2 of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
9	RSN UOR15	The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted to provide facilities for visitors in line with Policy UE2 of the Local Plan.
10	RSN MHC-03	In accordance with Policy CO2 of the North York Moors Local Plan and 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.

#### **Informative(s)**

<b>Informative number</b>	<b>Informative code</b>	<b>Informative text</b>
1	INF MHI-C	Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the County Council's website [ <a href="https://www.northyorks.gov.uk/road-adoption">https://www.northyorks.gov.uk/road-adoption</a> ]. The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.

## **Consultation responses**

### **Parish**

No objection

### **Highways**

No objection but recommends conditions

### **Forestry Commission**

No comments received

### **Environmental Health**

No objections on caravan site licensing grounds, however a caravan site licence should be obtained prior to the pod being used for human habitation,

### **Third party responses**

None received

### **Publicity expiry**

Advertisement/site notice expiry date: 16 August 2023



**Approach to Prospect House Farm with the proposed location of the glamping pod on the edge of the woodland where the track turns east towards the farm (taken prior to the installation of the approved pods)**



**One of the approved pods in position, with the site of the proposed additional pod to the east**



## Background

Prospect House Farm lies some 2 km to the west of Scalby on the north side of Hay Lane. It is accessed via a long private drive of some 650 metres which runs parallel to Hay Lane but at a lower level below the wooded escarpment. In addition to the farmhouse, there is an extensive range of traditional stone farm buildings. A public bridleway passes along Carr Lane to the east of the farm which affords views of the farm and the woodland beyond.

Planning permission was granted in July 2022 for the siting of 2 no. glamping pods on land to the west of the main farmhouse and farm buildings at Prospect House Farm. The pods each measure 7 metres by 3.9 metres with an area of timber decking to the front and are clad in timber boarding with a dark grey sheeted roof. As part of that application it was proposed to use an existing area of hardstanding on the east side of the access track for guest car parking, enclosed with a post and rail fence and native hedge planting and drainage was to be directed to a new package treatment plant and soakaway. That permission has been started with the siting of one glamping pod.

More recently planning permission and listed building consent has been granted for the conversion of the two storey traditional stone farm buildings to the south of the farmhouse at Prospect House Farm into 3 one-bedroom holiday letting units, whilst retaining some ground floor space for storage in association with the proposed use and also the farm. Separate guest parking was proposed within that scheme.

This application seeks permission for a further glamping pod to the north of the access track and to the northwest of the approved glamping pods, on the edge of the woodland. The pod would be very similar to those already approved, measuring 8 metres by 3.9 metres with an area of timber decking.

## Main issues

### Local Plan

The relevant strategic policies in the determination of this application are considered to be Strategic Policy A (Achieving National Park Purposes and Sustainable Development), Strategic Policy B (Spatial Strategy), Strategic Policy C (Quality and design and Development), Strategic Policy G (Landscape) and Strategic Policy J (Tourism and Recreation). Policy UE1 (Location of Tourism and Recreation Development) and Policy UE2 (Camping, Glamping, Caravans and Cabins) and Policy ENV4 (Dark Night Skies) are the more detailed development management policies.

Policy UE1 only permits new tourism and recreation development in the Open Countryside where it complies with Policy UE2 and supports the expansion or diversification of an existing tourism and recreation business.



Policy UE2 supports proposals for small scale holiday accommodation (such as tents, pods, yurts, teepees, shepherd huts, cabins, chalets, caravans and motorhomes etc.) in the open countryside where the site is 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) so as to respect the sensitivity of the local landscape. It also requires proposals to avoid extensive alterations to ground levels so that the accommodation can be removed without harm to the landscape; to not lead to unacceptable harm in terms of noise and activity; to not detract from the character, tranquillity or visual attractiveness of the area, and to be of a high standard of design.

Policy ENV4 seeks to protect the darkness of the night skies above the National Park by requiring development proposals to minimise light spillage. In the open countryside external lighting will only be permitted where it is essential for safety or security.

### **Principle of development**

This proposal is for a small scale development of one modestly sized glamping pod to complement the approved two glamping pods for the site (one already in position) capable of accommodating two adults and two children with associated vehicular parking and would be managed from the main farmhouse as holiday letting accommodation.

The pod is of a high quality timber design with timber cladding under a dark grey sheeted roof that would complement the existing glamping pod and the wooded surroundings. It requires no foundations and uses ground screw anchors to create a solid base and would not be connected to the public foul drainage system and instead would be connected to the recently installed package treatment plant. As such it can be removed when no longer required and the land restored without harm to the landscape of the National Park.

Furthermore, it is not considered that there would be a notable increase in activity or noise in the immediate locality that would have a detrimental impact on the character or tranquillity of the area, particularly given that there is already a degree of noise and activity generated by the farm itself.

As such in principle the proposal meets the requirements of Policy UE2.

### **Trees and landscape setting**

It is proposed to site the glamping pod on the edge of the woodland to the north of the farm access track, in a slightly elevated position. The proposal would require the removal of six trees, which are either of poor form, showing signs of decay or are dead. An Arboricultural Impact Assessment and Method Statement has been submitted to accompany the application and to ensure that the works do not impinge on any more



trees about the site. The report recommends that in order to mitigate the loss of trees, six replacement trees will need to be established within the woodland. Conditions ensuring the Method statement is adhered to and replacement planting is undertaken are recommended.

Although the site is open to the south and east, any views of the pod would be against the wooded backdrop and would not be visible on the skyline. Glimpsed views would be afforded from the bridleway along Carr Lane but as outlined, it is not considered that the pod would be prominent and would be seen in the context of the existing buildings at the farm and the existing glamping pod such that it would not appear as a sporadic or isolated structure. As such it is not considered that this additional pod, in association with the approved two pods would have a detrimental impact on the landscape of the National Park and as such meets with the requirements of Policy UE2.

### **Residential amenity**

There are no nearby residential properties that might otherwise be directly affected by the occupation of the glamping pods. Although there will be a degree of additional traffic attracted to the site it is not considered that this would be significant and would not cause undue noise and disturbance to the occupiers of those residential properties on Hay Lane adjacent to the entrance to the farm.

### **Conclusion**

This application is for a small scale development of one additional modestly-sized glamping pod to complement the two already approved in close proximity to the main dwelling and buildings at Prospect House Farm on a small area of grassland on the edge of mature woodland. Noise and activity arising from the proposal is likely to be limited and would represent a small increase to that already generated by the farm itself. As such the proposal is considered on balance to comply with the policies of the Local Plan although a number of conditions are required to ensure adequate compensatory planting and appropriate external lighting.

As such it is considered that the proposal meets the criteria of Strategic Policies A, B, C, G and J along with Policies UE1 and UE2 and 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.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in

favour of sustainable development, as set out within the National Planning Policy Framework.