

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0334

Development description: prior notification for demolition of nissen hut and lean-to structure and erection of agricultural livestock and storage building under Part 6

Site address: Foss Farm, Foss Lane, Sneaton

Parish: Sneaton

Case officer: Mrs Hilary Saunders

Applicant: Mr and Mrs Forster, Moor House Farm, Lousy Hill Lane, Littlebeck, YO22 5JH

Agent: Stovell and Millwater Ltd, fao: Mr Stovell, 5 Brentnall Centre, Brentnall Street, Middlesbrough, TS1 5AP

Director of Planning's Recommendation

Refusal for the following reason(s)

Reason(s) for refusal

Refusal reason code	Refusal reason text
1	The siting of the proposed building, remote from any associated farmsteads would represent sporadic development which would have an unacceptable adverse impact on the character and special qualities of this part of the National Park. The building would be clearly seen from the adjacent public rights of way and by reason of its isolated nature would have a harmful impact on this nationally protected landscape due to the intensification of built development of a significantly more substantial scale. The Local Planning Authority do not consider that sufficient essential agricultural need exists to justify a building on this isolated parcel of land to override the resulting harm to the open character of this area.
2	Approval of this proposed development would increase pressure for similar buildings on areas of land detached from a main farmstead which could lead to a proliferation of other isolated barns across the National Park which would have a cumulative detrimental impact on the character, special qualities and distinctiveness of the Nationally Protected landscape.

Consultation responses

Parish

No comments received

Natural England

Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice.

Third party responses

None received

Publicity expiry

17 July 2023

Red circle identifies site of existing barns. Proposed barns to west on southern side of bridgeway. Green line shows bridgeway running past the site and pink line shows public footpaths.



View of agricultural buildings as approach along bridgeway from Falling Foss



Existing small group of buildings – no residential accommodation included



Background

The site to which this application relates is located in an isolated and remote location approximately 2km from the B1416 and 450m to the southwest of Falling Foss Tea Rooms and accessed along a narrow Forestry Commission owned track which is also a public bridleway.

The land and a small group of modest buildings are used for agricultural purposes in association with the main farm unit (with farmhouse) approximately 2km to the north (Newton House Farm).

The existing site comprises two modest traditional stone and pantile/corrugated sheeting agricultural buildings, along with two modern agricultural buildings. There is no residential unit on site.

In 2021, planning permission was refused to convert the western stone and corrugated sheet roof into a single storey 2 bed holiday cottage and to convert the eastern stone and pantile building into a two-bed principal residence dwelling. The application was refused primarily due to the isolated nature of the site and impact of residential conversion and use of this land on the wider landscape.

This agricultural notification is for an agricultural storage and livestock building measuring 36.3m long x 24.2m long. The building would be stepped down on sloping land and have a double ridge. Eaves height of each building would be 4.5m and to the ridge of 5.9m. However, the northern half of the building would measure approximately 1.5m higher than the southern half due to changing ground levels.

In support of the application, it is stated that: -

The number of livestock which Foss Farm is allocated above will require additional housing along with a requirement for storage of fodder and manure.

The main essential need relates to the number of breeding sheep, suckler cows, followers, the storage of fodder, concentrate feed and extra space at lambing time. The breeding sheep are housed mainly for lambing from December to April and will require 24-hour supervision over the lambing period. Calving is either in the autumn or spring and again 24-hour supervision is required at this time.

In addition, the storage of manure within a weatherproof building helps to achieve an objective of reducing the potential of run-off from field heaps. Having the ability to store manure under cover will benefit the business as well as the environment in reducing input costs and having less reliance on manufactured fertilisers.

The management of the business is challenging due to the 3 separate holdings which run along the Little Beck and May Beck Valley being spread over approx. 3.5km. The route between the holdings can be difficult due to tourist traffic, walkers, horse riders.

Foss Farm is the largest landholding of the 3 holdings farmed by the business and has the least resources for accommodating livestock. Currently due to the lack of livestock accommodation at Foss Farm animals are moved between holdings more often than is practical. Experience has shown that pedestrians along with inappropriately parked cars occupying the few available passing places causes extreme disruption to the business.

Lambing and calving are undertaken away from Foss Farm because of the lack of livestock accommodation, the stock is then moved to Foss Farm either by droving the animals along the road or movement within a livestock trailer. The droving option often results in conflict with walkers, cyclists, and dogs.

The current inefficient management of the holding due to excessive vehicle movements and time-consuming operations are adding additional costs to the business.

Main issues

In the consideration and determination of prior notification applications, the Authority can only assess the proposal in relation to its siting (landscape impact), design and impact on ecology and archaeology.

In terms of design, the buildings have been designed for the purposes of agriculture and would be in keeping with the design of existing, modern agricultural buildings within the National Park. However, they are substantial in scale.

In terms of siting and subsequent landscape impact, whilst the site benefits from some screening to the south east, and a smaller range of modest traditional and more modern agricultural buildings to the east, the site is very exposed and visible from a number of bridleways and public footpaths, and the existing building would not help the new buildings to sit discreetly in the landscape, and would be reducing the enjoyment of this typically rural and open landscape.

The siting of agricultural buildings in remote locations is uncharacteristic for this National Park and whilst there are some historical buildings here, it does not comprise a farmstead and the existing buildings are small and discreet. The proposal would be significantly more intrusive and there is not considered that there is adequate justification to site the buildings here rather than at the main farmstead at Newton House Farm which is approximately a kilometre away to the north and where there is an overseeing farmhouse.

Furthermore, the supporting information states that the livestock kept in these buildings will require 24hr supervision during lambing, but there are no facilities on site, the farmhouse is 2km away; this is a further reason that the buildings should be located closed to the existing farmstead.

Whilst this is a Prior Notification rather than a planning application, the purpose of Policy BL5 is relevant, in terms of how the siting of agricultural buildings have an impact on the landscape. Policy BL5 seeks to permit proposals for new agricultural buildings where there is a functional need for the building, the building is designed for the purposes of agriculture, the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location. This is to ensure that the siting of buildings does not have an adverse impact on the landscape character of the area.

In this case, whilst there may be some additional convenience in keeping livestock here rather than at the farmhouse, in terms of livestock movements, this is outweighed by the isolated nature of the site and lack of 24hr supervision which is available at the main farm.

Consequently, this is not considered to consist of an exceptional circumstance to justify such an isolated building.

In terms of Ecology the Authority's Ecologist advised that as this application is for a livestock storage building with a floorspace >500m² and within an Impact Risk Zone of the North York Moors SSSI, SAC and SPA, a SCAIL assessment was required to determine the potential impacts of the proposed development on the designated site.

The submitted SCAIL assessments and supporting statements that have been submitted show that from a livestock housing perspective, the air quality impact concerns can be assuaged, as the development would result in the majority of livestock being housed further from the designated sites. However how the manure storage will be undertaken has not been assessed. The supporting statement says that this will be included in the building, but no additional details have been included. The SCAIL assessment for the proposed building reports that the housing will be slatted slurry housing, but the supporting statement talks about heaped manure storage. This has not been modelled in the SCAIL portal. Whilst further air quality assessments and modelling would be required if approval were being recommended, there equally is not enough information for air quality to be a reason for refusal.

Conclusion

On the basis that a building in this location is considered to have a significant and adverse landscape impact and constitutes development uncharacteristic of the wider landscape of the National Park, refusal of the prior notification is recommended.

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

The refusal of this 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 Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.