

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2024/0085

Development description: erection of general purpose agricultural building with occasional use for lambing

Site address: The Grainary, Keasbeck Hill Farm, Harwood Dale

Parish: Harwood Dale

Case officer: Hilary Saunders

Applicant: The Grainary Harwood Dale Ltd, The Grainary, Keasbeck Hill Farm, Harwood Dale, YO13 0DT

Agent: Mick Paxton Architects Ltd, fao: Mick Paxton, Studio 302, Woodend Creative Centre, The Crescent, Scarborough, YO11 2PW

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><thead><tr><th>Document Description</th><th>Document/Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Amended Location and site plan</td><td>---</td><td>14/03/2024</td></tr><tr><td>layout plan</td><td>---</td><td>05/02/2024</td></tr><tr><td>Elevations</td><td>---</td><td>05/02/2024</td></tr><tr><td>Supporting Agricultural Information</td><td>---</td><td>05/02/2024</td></tr></tbody></table>	Document Description	Document/Drawing No.	Date Received	Amended Location and site plan	---	14/03/2024	layout plan	---	05/02/2024	Elevations	---	05/02/2024	Supporting Agricultural Information	---	05/02/2024
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3	MC00	The building hereby approved shall not be used for the housing of livestock other than for the housing of sheep for the purposes of lambing as set out in the supporting agricultural information dated 8 February 2024 .															

4	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.
5	MC00	Guttering should be provided on the agricultural storage building hereby permitted that is directed to a ground soakaway or water storage facility and shall be maintained in that condition in perpetuity.
6	AC21	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Skies compliant and no other lighting shall be installed on the site. All lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.
7	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.
8	LD08	No trees along the northern boundary of the site shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner within 5 years of the building hereby approved being first brought into use, unless details have been submitted to and approved in writing by Local Planning Authority.
9	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 MISC04	To enhance Protected and Priority Species/habitats and allow the Local Planning Authority to discharge its duties under the s40 of the Natural Environment and Rural Communities Act 2006 (Priority habitats & species).
4	RSN GPMT01	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.
5	RSN MISC00	To comply with the provisions of Policy ENV7 of the North York Moors Local Plan and to ensure that clean roof water does not mix with areas fouled by machinery or livestock thus preventing the creation of dirty water.
6	RSN AC01	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.
7	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.
8	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.
9	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 objections

Highways

No objections

Environmental Health

Original comments - The introduction of an agricultural building housing livestock in such close proximity to existing residential properties creates a potential for amenity impacts, notably noise and odour.

Intensive livestock operations, defined as buildings and associated works both for the permanent indoor housing of pigs, poultry or cattle and the temporary housing of such livestock when a slurry system is employed, should ideally be located 800 metres from the defined development limits of any town, and 400 metres from the defined development limits of other settlements. Elsewhere, proposals may be acceptable within 400 metres of an occupied property but not nearer than 100 metres in even the most exceptional case.

In determining such applications Authorities should account for the nature of livestock, its intensive nature, method of farming including storage, handling and disposal of waste as well as the topography, layout and proximity to protected buildings.

In view of the aforementioned, I have concerns that the housing of livestock set out within document 'Supporting Agricultural Information' in such proximity to existing residential properties creates a potential for amenity impacts, notably noise and odour. As such, I would recommend that the appropriate reassurances are sought from the applicant.

Additional information – no further comments received from EHO in relation to confirmation that just sheep during lambing will be kept in the building.

Third party responses

None received.

Publicity expiry

7 March 2024

Arial photo showing site of development - to left of agricultural building.



Photo showing wider view of existing agricultural buildings



Photo showing site to rear of boundary planting.



Background

The Grainary, Keasbeck Hill, comprises a well-established tourism and agricultural enterprise located off the main Harwood Dale Road.

This application seeks permission for the construction of a new general purpose agricultural shed within the existing farmyard area, to provide hay storage but also to be used for lambing of the farms main flock of ewes for approximately four weeks a year. It would not be used for other livestock.

The building would measure 22.5m long x 14m deep with a height to the eaves of 5m and to the ridge of 8.2m. Elevations would be Yorkshire boarding above concrete panels with a dark grey onduline roof, with a 96-panel array of solar panels on the south facing roof slope.

Main issues

Local Plan

The most relevant policy contained within the North York Moors National Park Authority Local Plan 2020 to consider with this application is Policy BL5 (Agricultural Development).

Policy BL5 states that development of new agricultural buildings and structures or extensions to existing buildings will only be permitted where: The form, height and bulk of the development is appropriate to its setting; there is a functional need for the development; it can be demonstrated that there are no suitable existing buildings available to support the existing business; 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 is an exceptional agricultural need for a more isolated location; the proposal will not significantly harm local amenity in terms of noise, odours or level of activity either individually or in combination with the existing agricultural activity; and In the absence of existing screening, a landscaping scheme is provided.

Part 5 of the Authority's Design Guide: New Agricultural Buildings, states that new agricultural buildings should be sited within, or adjacent to existing agricultural buildings and be designed to remain in keeping with any existing agricultural buildings on site. Buildings should generally be dark coloured and have a dark-coloured roof to minimise visual impact.

Material Considerations

The agricultural holding has around 200- breeding ewes with 400 finishing store lambs and this building is required to provide a separate space for lambing for short periods of time as well as providing additional agricultural storage space.

A SCAIL assessment has been submitted and the Authority's Ecologist is satisfied that it demonstrates that the development is below the 1% threshold for impacts on nearby designated sites, and therefore can meet legislative requirements regarding the Habitats Regulations.

The building is designed for the purposes of agriculture, would be located within an existing farmyard area and would be partially screened by existing mature boundary planting.

Conclusion

The building would not be unduly intrusive in the immediate or wider landscape and is designed for the purposes of agriculture and is considered to be in accordance with Policy BL5 of the local Plan. Consequently, approval is recorded.

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

Not applicable

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.