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NYMNP/PA

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DESIGN AND ACCESS STATEMENT

USE OF LAND FOR SITING OF 1 NO. LOG CABIN (HOLIDAY ACCOMMODATION) AT
LAND ADJACENT TO THE PIGGERY, UGGLEBARNBY

FOR: MR D WILSON

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Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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1. Introduction

- 1.2 Cheryl Ward Planning has been instructed by the applicant to submit a planning application in relation to the area outlined in red on the attached location plan at land adjacent to The Piggery, Ugglebarnby, Whitby.
- 1.3 The client has instructed the siting of a log cabin to be positioned on the land identified comprising a small gap (plot) fronting the road. It is to be used for holiday purposes similarly to the adjacent Piggery, also within the applicant's ownership.
- 1.4 The accompanying plans identify the site and its relationship to The Piggery and other property and buildings in the locality.
- 1.5 The application seeks full planning permission for use of the land and erection of a building for the above mentioned purpose and is justified in the preceding sections.
- 1.6 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute.

2. Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying planning application. Its aim is to assist those assessing the application to understand the design and access rationale. In summary, it provides a structured way of describing the development proposal.

3. Planning History

- 3.1 A search of the North York Moors National Park Authority's online records has revealed planning history associated with an application forming part of a larger site for which planning consent was previously sought.

NYM4/034/1206 – Outline application for the erection of two dwellings at Field OS 1051, Ugglebarnby – Refuse

NYM4/034/1206A – Conversion of barn to dwelling at OS Field 0026, adjacent to Foss Hill, Ugglebarnby – Appeal dismissed

4. Pre-application advice

4.1 On behalf of the applicant, BHD Partnership has entered pre-application discussions with the Local Planning Authority where it was concluded:

“There is the existing business of the holiday cottage at The Piggery which the log cabin could be tied to but we would need details of how these would both be managed to ensure there is no demand for additional accommodation.

In terms of access, the roads to the site are narrow but there is good access through the village to the A169 to the west and to the B1416 to the east which leads to the A171.

The siting of a single log cabin is unlikely to generate significant levels of traffic that would be harmful to the character of the area but the increase in activity levels to the rear of The Piggery could give rise to noise and disturbance to neighbouring residents at Foss Hill.

Finally, if your client was to pursue an application then we would need to be satisfied that the structure could be removed when no longer required and did not form a permanent structure in the landscape”.



Fig 1. – Land adj to The Piggery, Ugglebarnby (source Google Maps) – for illustrative purposes only

5. The Site

Site context and surroundings

- 5.1 The site is located due east of Sleights village and south west of Whitby Town (1.8 miles).
- 5.2 The site lies within easy reach of the east coast and the NYM Moors between which the site is positioned. The A169 Whitby to Pickering road lies to the west and to the north and east the A171 Whitby to Scarborough and Guisborough.
- 5.3 Within Ugglebarnby itself, the site lies north of the main thoroughfare known as The Cliff falling one third of the way between Iburndale and Dean Hill Brow and the B1416 road.
- 5.4 All in all, the site benefits from good access links and accessing the site for the purposes of the proposal does not pose a constraint to the development or other road users.

Local Landscape and Topography

- 5.5 The local landscape can be described as that falling between the Central Valley and Coast and Coastal Hinterland where settlements are generally described as 'clustered but a few have expanded in a linear form along roads'.
- 5.6 In addition, it is stated that 'villages sometimes spill out onto flatter land at cliff tops with more modern development bearing little relation to historic cores. Valleys are frequently lined with deciduous woodland'.
- 5.7 Poly-focal settlements are described as having more than one original 'core'. Ugglebarnby is a good example of how the settlement pattern and the steep topography has led to the settlement being split into compartments/sections i.e. this usually takes places where the focus of development has spread around some topographical landform such as a church or the Manor Farm.
- 5.8 The topography can be described as steep and/or valley sided. Beyond the built environment the land is predominantly rich grazing and/or arable land.
- 5.9 In planning terms, the site is deemed to be an 'Other Village' which is defined as having more limited or no facilities at all, with any that are available often being 'shared' amongst groups of settlements. In this case, nearby settlements include Sleights, Sneaton and Ruswarp.
- 5.10 The application site extends to 1159 sq. metres.

Geographic Information

- 5.11 A thorough check of Magic Map has revealed there is no presence within the site edged in red or within close proximity to any known ecological (habitat and/or species), archaeological, landscape or building designation that would have a bearing on the application.

Flood Risk

- 5.12 The Governments long term flood risk information database shows the application site at extremely low risk from flooding from sea, surface water and reservoirs. A flood risk assessment is not deemed to be necessary in this instance.

Images



Fig 1. - The Piggery, Ugglebarnby



Fig 2. – Application site access



Fig 3. – Land adj to The Piggery (application site)

6. The Proposal

- 6.1 The proposal seeks to make use of an appropriate parcel of land adjacent to The Piggery for the siting of a log cabin.
- 6.2 The site plan (Dwg D11153-01A) shows the development site in relation to The Piggery, Foss Hill, Foss Way and Postgate to the south.
- 6.3 The site is physically and functionally linked to The Piggery, an existing business which comprises a small traditional holiday cottage which provides an asset and a steady income stream. Although modest, it contributes to the tourism product and range of tourist accommodation in the Esk Valley/coastal hinterland.
- 6.4 The Piggery is fully serviced and has its own private access.
- 6.5 The position of the log cabin, elevations and floor plans and sections are shown on the accompanying drawings (Dwg D11153-02A, 03A & 06A).
- 6.6 The cabin is orientated to run with the ridge parallel to The Piggery so that the gable end is fronting the road. The structure will be dug into the rising ground rather than be built up to create a prominent level platform. Solid ground will be made up using Eskdale quarry stone rubble topped with earth from the site.
- 6.7 The building will sit harmoniously with the natural contours of the land so that views of the coast and the Esk Valley remain visible to occupiers of the adjacent Piggery.
- 6.8 The building measures 12.7 metres long and 6.45 metres wide and in this case is designed for non-permanent habitable use. The building reaches an overall height of 4.55 metres.
- 6.9 The site is well screened and hidden from view by the natural topography and land contours together with other buildings and existing vegetation.
- 6.10 The cabin is timber framed on a chassis floor system to enable it to be readily disassembled and subsequently removed. Should it no longer be required the land could easily be restored to its former condition.

Site Management

- 6.11 The applicant and his wife currently manage and operate the site from their home in Aislaby, some 1.5 miles north west of the application site. This is carried out by a private booking arrangement and would continue to be the case with the log cabin.
- 6.12 There is no requirement for on site management in this case and the applicant is satisfied that the proposed development can be tied to the existing cottage business which operates from The Piggery by way of a condition.

Materials

- 6.13 The log cabin would be constructed with a timber framework and clad in vertical timber cladding in a dark brown. The roof is to be covered in Gray slate.

Landscaping

- 6.14 No indication for future landscaping of the site has been offered however it is considered that heavy or continuous planting could lead to landscape changes which would be uncharacteristic of the area.
- 6.15 Instead it is proposed to include low level plants/shrubs to the site frontage and around the parking area to help bolster the outer edges of the site and soften the overall appearance as well as retention of all existing vegetation i.e. roadside hedge, tree to verge near existing access.

Lighting

- 6.16 Minimal low level, low wattage downward lighting will be fixed directly to the cabin.

Access

- 6.17 Accessing the site would be via an existing field gate which provides adequate vehicle access to the land. The access will be made up to the necessary Highway Authority standards.
- 6.18 Use of the traditional stone gate posts are to form part of the scheme.
- 6.19 Turning, parking and manoeuvring are shown on the accompanying plans which indicates that vehicles can access and leave the site in forward gear.

7. Planning Policy Context

Planning and Compulsory Purchase Act 2004

- 7.1 The Planning and Compulsory Purchase Act 2004 came into force in September 2004. It carries forward the provisions of the Town and Country Planning Act 1990, giving statutory force to a plan-led system of development control.
- 7.2 Under section 70(0) of the 1990 Act and section 38 (6) of the 2004 Act, the determination of planning applications must be in accordance with the approved Development Plan unless material considerations indicate otherwise. The determination of planning proposals must be in accordance with the approved Development Plan unless material considerations indicate otherwise.

National Planning Policy (NPPF) (2018)

- 7.3 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in July 2018 and is a contributing material consideration. It provides a framework within which regional and local policy is set. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 7.4 Paragraph 7 of the recently published NPPF states that ‘at a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs’.
- 7.5 Paragraph 8 of the NPPF states that ‘achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways’ (so that opportunities can be taken to secure net gains across each of the different objectives):
- a) an economic objective
 - b) a social objective
 - c) an environmental objective
- 7.6 Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with an up-to-date development plan without delay or where there are no development plan policies, or the policies which are most important for determining application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

- 7.7 Paragraph 38 of the NPPF advises that ‘local planning authorities should approach decisions on proposed development in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area’.
- 7.8 Paragraph 83 of the NPPF states that ‘planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’.
- 7.9 Paragraph 131 of the NPPF states that ‘in determining applications, great weight should be given to outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings’.
- 7.10 In addition to the above, paragraph 172 of the NPPF states that great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues.

North York Moors National Park Authority – Core Strategy and Development Policies (2008)

- 7.11 The Core Strategy and Development Policies document sets out the policies which guide where new development will take place in the National Park and to determine planning applications.
- 7.12 The Core Strategy and Development Policies was adopted in November 2008 and is nearing its term for providing up to date planning policy. The Strategy works in conformity with the National Planning Policy Framework (NPPF), referenced above.
- 7.13 **Core Policy A** of the NYM Local Development Framework seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park’s special qualities.

- 7.14 **Development Policy 3** of the NYM Local Development Framework seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.
- 7.15 **Development Policy 14** of the NYM Local Development Framework seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.
- 7.16 **Development Policy 16** of the NYM Local Development Framework seeks to permit proposals for the provision of small scale new caravan, camping and chalet sites only where the site is located within an established area of woodland or forest; where the site is physically and functionally linked to an existing business and can be managed without the need for additional permanent residential accommodation; where the site is in close proximity to the road network and would not result in an increase in traffic that would be harmful to the area; the scale of development would not be out of character with the area and the proposals should be designed in such a way as to minimise the level of permanency so that buildings can be removed when they are no longer required.

Emerging NYM National Park Local Plan

- 7.17 The National Park Authority is preparing a new Local Plan for shaping the future of the North York Moors. This will be the document used to help decide planning applications in the near future.
- 7.18 The Authority has recently published a 'Preferred Options' version of the forthcoming Plan.
- 7.19 Emerging **Policy UE2** (Cabins, Chalets, Caravans and Motorhomes) is the most relevant. It will be seeking to introduce requirements for scale and development being hidden from view as for camping and glamping sites. Sites will be expected to be close to the road network and include well designed, low impact units.
- 7.20 Furthermore, it seeks to allow for well designed, sensitive and distinct new tourism and recreational development that fits into the landscape, where there is already a tourism or recreational facility or where there is a group of buildings which could be used to manage the site.

- 7.21 The emerging tourism policies requires sites to be hidden from view by topography, buildings or vegetation rather than the current requirement for it to be screened by woodland.
- 7.22 As the new Local Plan is drawing nearer it will be up to the Authority to afford the correct amount of weight to the emerging policies.

8. Planning Assessment

- 8.1 It is a material consideration that the site has and continues to be used for tourism and recreation. The proposal involves the continued use of an existing and well-established low key tourism site offering modest, well managed accommodation.
- 8.2 Policy DP14 provides support in principle for sustainable tourism where the scale, nature of activity and visual impact can be accommodated in a manner that will not undermine the special qualities of the National Park but does so in a way that conserves and enhances the special qualities.
- 8.3 The proposal acknowledges that as an expansion of an existing site it needs to be well screened or involve improvements which would be beneficial to the Park. The section plan shows how the development is easily accommodated and uses a 'stepped' format for a low key impact.
- 8.4 Paragraph 83 of the NPPF (July 2018) clearly states that from now on planning policies and decisions made by Local Planning Authority's will be supportive of:
- the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - the development and diversification of agricultural and other land-based rural businesses;
 - sustainable rural tourism and leisure developments which respect the character of the countryside.
- 8.5 Paragraph 84 of the NPPF (July 2018) states:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'.

- 8.6 The site lies in a key location to support to economy of Whitby, the surrounding Esk Valley and other local businesses and the surrounding National Park area which are within easy reach.
- 8.7 The scheme uses the site topography and vegetation within the applicant's control. Existing landscape features are to be retained and new native species shrub and cluster planting will be accommodated on the site to further enhance the natural beauty and scenic qualities of the area. Too much planting on the other hand could have a detrimental impact on the site and that of neighbouring residential amenity.
- 8.8 DP3 of the Core Strategy requires the siting, orientation, layout and density to preserve or enhance views into and out of the site. In meeting this criteria, the cabin is orientated with the gable fronting the road to minimise visual impact and ensures that the spaces about and between buildings and other features that contribute to the character and quality of the environment such as green spaces will not result in the loss of an open space.
- 8.9 The proposal is to be well integrated and the location, siting, form, layout, scale and detailed design is receptive to the context provided by the surroundings.
- 8.10 In summary, the development is conducive to these requirements in that the architectural detail, site layout, landscaping (forming part of the design) and access to the road network by sustainable modes of transport is met.
- 8.11 On balance, the development exhibits an appropriate type, texture, colour and the quality of materials and build technique that is such that it is characteristic of the area.

9. Conclusion

- 9.1 The NYM Management Plan and planning policies acknowledge the integral and valuable contribution that Tourism makes to the local economy and is supportive of the site being used more actively for small scale tourist accommodation. This is considered necessary to support a prosperous rural economy.
- 9.2 Supporting sustainable rural tourism development which respects the character of the countryside is key contributory factor of the NPPF (para. 83).
- 9.3 With the site management secured it is considered that the three dimensions of sustainable development are met:
- Economic role – the development contributes to building a strong, responsive and competitive economy.
 - Social role – the development is supportive of a strong, vibrant and healthy community and provides a facility that is accessible to users without harm to the existing infrastructure or amenity.
 - Environmental role – the development contributes to protecting and enhancing the natural and built environment by retaining existing landscape features and provides new landscaping thereby improving biodiversity.
- 9.4 The development maintains a low activity ratio with minimal intervention such as lighting thereby contributing to a low carbon economy.
- 9.5 It is concluded that the site is in a highly sustainable location and will form a base from which to access other local facilities such as the coast, coastal resorts, Whitby, Scarborough, Guisborough, the Moors, Dalby Forest, the NYM Railway and local footpath and cycle routes (amongst others).
- 9.6 Supporting the sustainable growth and modest expansion of the site usage will allow this small rural business to prosper in the long term.
- 9.7 The above planning assessment concludes that the development is of an appropriate scale and is of a nature that can be accommodated on the site without harm to the character of the locality, the wider landscape and the road network.
- 9.8 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force and it is requested that planning permission should be granted without further delay.

Cheryl Ward Planning

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