

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(North)
Parish: Eskdaleside-Cum-Ugglebarnby

Application No. NYM/2018/0677/FL

Proposal: Siting of 1 no. log cabin for holiday letting purposes with associated parking and alterations to access

Location: The Piggery, Ugglebarnby

Decision Date: 11 December 2018

Extended to:

Consultations

Parish – Object for the following reasons:

- The adjacent property “The Piggery” is currently a holiday let;
- The proposed log cabin is out of character with the surrounding buildings which reflect the rural nature of this area;
- When the adjacent building “The Piggery” was developed for occupation the NYMNP insisted in using traditional materials;
- The site access is difficult due to the steepness of the road and visibility splays will be difficult to achieve.

Highways –

Revised plans: The revised plans show the vehicular access from the public highway to the application site to go through the existing shared access and bridleway. Vehicles going to "The Piggery" already use this shared access but it is not included in the red or blue line plans and therefore the application does not demonstrate that visitors to the proposed log cabin would have a right of access across this land. However no objections are raised on the clear understanding that this application will be conditioned to remain ancillary to the main residence, The Piggery.

Original plans: Object. The location of the proposed access to the site is currently gated on the fence line, has loose material on the grass verge area and is excessively steep. The works required to install a suitable access have not been included within this application. The works to install a suitable access would include a considerable amount of earth moving to create a suitable gradient. Consequently, recommend that planning permission is refused on the grounds that the access leading to the site is by reason of its poor condition and unsuitable gradients is considered unsuitable for the traffic which would be likely to be generated by this proposal.

Yorkshire Water -

Environmental Health Officer – No objections.

Site Notice Expiry Date – 27 November 2018

Others –

David Edwards, Fosshill Farm, Ugglebarnby
Miss K Watson, Plainsides Farm, Ugglebarnby

Object on some or all of the following grounds:

- The proposed large timber log cabin would be completely out of character with the other buildings in the vicinity both in terms of style and building materials.

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Ugglebarnby Lane consists of a number of traditional buildings including a listed building (Tinkler Hall), The Piggery (a beautifully converted barn) and a few more recent buildings all built with traditional local stone and red pantiles;

- It would have an adverse impact on the landscape and locality and be very detrimental to the character of the area;
- The size of the proposed log cabin would have a bigger footprint than the existing Piggery building and would be overbearing and out of scale;
- Ugglebarnby Lane is a single track road and the proposed entrance is on a particularly narrow and steep point of the road. The current field entrance will require substantial redevelopment to provide a suitable access for cars.
- Surface water runoff from the new access could add to the already treacherous icy conditions in the winter months as Ugglebarnby Lane is no longer maintained regularly by the council.
- The proposal will not bring anything to the village, it is not enriching the local village community by providing work or housing, nor is it diversification of a local agriculture or land based rural business.

Derek Quinn, Postgate, Ugglebarnby – Expresses the following concerns:

- Request the mature hedge along the shared boundary is retained to screen the development;
- The existing access would have to be significantly altered to allow cars into the site and suggest that the existing access and parking at The Piggery is extended and shared;
- The plot is quite large and approval might set a precedent for further development of the site.

Andrew Watson, Howlett Hall, Ugglebarnby (received on 28 November 2018 outside the statutory publicity period) - Supports the proposal provided that access is via The Piggery car park rather than adapting the field access which is too steep.

Steve Coates, the New Bungalow, Ugglebarnby	}
David Benson, 9B Mount Farm Close, Whitby	} received outside
Mark Dixon & Lucy Worley, Foss Way, Ugglebarnby	} the statutory
Mrs M F Hall, The Cullies, Ugglebarnby	} publicity period
Helen Hodges, Partridge Hill Farm, Ugglebarnby	}
Alan Easton, Hillcrest Farm, Ugglebarnby Lane, Ugglebarnby	}
Owner/Occupier, Tinker Hall, Ugglebarnby	}

Support the proposal for some or all of the following reasons:

- There are mature screening trees and hedges to 3 sides of the site;
- The building will be of timber and temporary in nature, designed to minimise the level permanency so that the land can easily be reinstated;
- It will have a low impact on the site and ensure it is kept in a tidy condition;
- It would provide tourist accommodation for visitors to the area;
- It will generate income for local shops and pubs;
- It will have no impact on neighbouring properties;
- Prefer it not to use The Piggery entrance as the proposed entrance is safer with good visibility up and down the lane;
- Ideal position. The lightweight structure will not be harmful to The Piggery or nearby buildings;
- It will bring tourism to the area without harming the National Park's special qualities.

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Director of Planning's Recommendation

Reason(s) for Refusal

1.	<p>The proposal would not be located within an area of woodland which would screen the development in the long term as required by the first criteria of Development Policy 16, and instead would occupy an open and elevated position above UGGLEBARNBY Lane where it would be prominent and highly visible in the landscape to the detriment of the character and appearance of the area. It would consolidate the existing sporadic development along UGGLEBARNBY Lane and result in a discernible encroachment of incongruous, built development into the open countryside where proposals for new tourism development are expected to make use of an existing building under Development Policy 14. Furthermore the proposal would not reflect or complement the local vernacular and instead would be an incongruous form of development that would harm to the National Park's special qualities contrary to Development Policy 3. The Local Planning Authority considers that there are no exceptional circumstances to set aside the adopted policies of our Core Strategy and Development Policies Document and allow this inappropriate development in the open countryside to the detriment of the special qualities of the National Park.</p>
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Background

The application site comprises a small field laid to pasture lying to the north of the village centre and to the south of UGGLEBARNBY Lane. It occupies an elevated position above the public highway and adjoins the applicant's current holiday cottage, The Piggery, a stone farm building converted with the benefit of planning permission granted in August 2007. Further to the east are 3 no. residential properties. There is a roadside hedgerow along the roadside (north) boundary of the field, a small copse to the rear (south) of the site and a mature hedgerow along the shared boundary (west) with Postgate.

Outline planning permission refused in July 1985 for the siting of two dwellings on the site on the grounds that the development of the site would consolidate the sporadic development on the edge of UGGLEBARNBY so detracting from the character and appearance of this part of the Park. It was also considered that the site did not form an infill plot as required by the housing policies at that time and that the road was of inadequate width and layout to safely provide for further residential development.

This application seeks planning permission for the siting of a timber clad lodge under a grey slate roof to be positioned in the north east corner of the field, immediately adjacent to The Piggery holiday cottage. As originally submitted the application proposed to use the existing field access onto UGGLEBARNBY Lane to provide access into the site for visitors with 2 no. parking spaces and a turning area located to the west of the log cabin. However amended plans have since been received proposing that the existing vehicular access to The Piggery is utilized to provide access and parking to the rear of the proposed log cabin. The agent has also confirmed that there will be no building up or raining of ground levels to accommodate the log cabin as the proposed site area is relatively level.

Main Issues**Policy**

The relevant policies of the Core Strategy and Development Policies Document (CSDPD) are considered to be Core Policy A (Delivering National Park Purposes and Sustainable Development), Core Policy G (Landscape, Design and Historic Assets), Development Policy 3 (Design), Development Policy 14 (Tourism and Recreation) and Development Policy 16 (Chalet and Camping Sites).

Core Policy A seeks to provide a scale of development that will not have an unacceptable impact on the wider landscape whilst conserving and enhancing the landscape settlement, building features and historic assets of the landscape character areas.

Core Policy G seeks to conserve and enhance the landscape, historic assets and cultural heritage of the Park by seeking high quality design which conserves or enhances the landscape setting, settlement layout and building characteristics of the Park.

Development Policy 3 seeks to maintain and enhance the character of the National park and requires a high standard of design detailing which reflects or complements that of the local vernacular.

Development Policy 14 seeks to support the expansion of tourism businesses provided that it makes use of an existing building, amongst other criteria.

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Development Policy 16, which is of most relevance to the proposal, supports proposals for small scale chalet sites provided that the site is located within an area of well-established woodland or forest so as to enable the proposal to be accommodated within the wider landscape without harming the Park's special qualities. It also requires the site to be physically and functionally linked to an existing business and capable of being managed without the need for additional permanent residential accommodation, whilst also be in close proximity to the road network and not result in an increase in traffic generation that would be harmful to the character of the area or highway safety. The scale of the development, design of the structures proposed and associated works together with the anticipated levels of activity should not adversely affect the special qualities of the National Park and proposals should be designed to minimise the level of permanency so that buildings can be removed when they are no longer required without damage to the natural landscape. Furthermore the supporting text to Development Policy 16 recognises that the nature of this type of development can have a significant visual impact on the appearance and character of the landscape and therefore any proposals for new facilities of this nature will need to be well screened by well-established woodland.

Paragraph 115 of the National Planning Policy Framework (NPPF) states that great weight should be given to conserving the landscape and scenic beauty in National Parks, which have the highest status of protection in relation to landscape and scenic beauty.

Principle/Design and landscape Impact

The proposed site of the log cabin, although set against a small copse, would not be located within an area of woodland which would screen the development in the long term as required by the first criteria of Development Policy 16. Whilst there is a roadside hedgerow along the site boundary to the north, it is not considered that this or the topography of the site would offer any notable screening of the proposed log cabin. Given the elevated position of the site above UGGLEBARNBY Lane, it is considered that the proposed log cabin would be prominent and highly visible in the wider landscape to the detriment of the character and appearance of the area. Although the proposed log cabin would be positioned within a small field and adjacent the applicant's current holiday cottage, it would result in the loss of open space which contributes to the character and setting of UGGLEBARNBY and result in a discernible encroachment of incongruous, built development into the open countryside where proposals for new tourism development are expected to make use of an existing building under Development Policy 14. Even though it would be small in scale and would not greatly add to new development within the National Park, it would undermine the landscape character and detract from the natural scenic beauty of this part of the National Park.

Furthermore timber log cabins such as that proposed are not typical of the North York Moors vernacular, and whilst they may be appropriate in woodland settings, it is not considered that they are appropriate in the edge of village locations where such development would appear incongruous with the surrounding traditional stone and pantile properties. It is considered that such development would not reflect or complement the local vernacular and have a significant adverse impact on the character and appearance of the landscape around UGGLEBARNBY contrary to Core Policy A, Development Policy 3 and Development Policy 16.

The agent's offer to provide landscaping along the roadside boundary however it is not considered that it would be sufficient to screen the proposal effectively or to incorporate it satisfactorily into the surrounding landscape.

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Other matters/Highway Safety

Turning to the other criteria of Development Policy 16, whilst the site is not linked to an existing residential property, it is linked to the adjacent holiday cottage and The Piggery and can be managed without the requirement for additional permanent residential accommodation (criterion 2). Whilst the roads to the site are narrow, 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 and the proposal would not result in additional traffic generation that would be harmful to the character of the area or highway safety given the revised access proposals (criterion 3). The cabin is made of natural light weight materials and sited on temporary foundations and could be removed when no longer required without damage to the natural landscape (criterion 5).

Conclusion

The site cannot reasonably be considered to be located within an area of woodland which provides a long term setting for the proposed development which enables it to be accommodated within the wider landscape without harming the Park's special qualities. This being so, the proposal fails to meet the first criterion of Development Policy 16. Instead it is considered that the proposal, by virtue of its incongruous form and design and elevated position above Ugglebarnby Lane, would be harmful to the character and appearance of the surrounding area, contrary to Core Policy A, Development Policy 16 and to Development Policy 3 which seek to maintain and enhance the distinctive character of the National Park and conserve its special qualities.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern with the proposal and discussing those with the Applicant. However, the issues are so fundamental to the proposal that it has not been possible to negotiate a satisfactory way forward and due to the harm which has been clearly identified within the reason(s) for the refusal, approval has not been possible.