

# North York Moors National Park Authority

District/Borough: Hambleton District  
Parish: Thimbleby

Application No. NYM/2017/0261/FL

**Proposal: demolition of existing shooting lodge and associated stores and construction of new shooting lodge**

**Location: Thimbleby Shooting Ground, Thimbleby**

**Decision Date: 05 June 2017**

## Consultations

### **Borough/District -**

**Parish** – The development is supported subject to confirmation that opening hours will remain constant.

**Highways** – No local Highway Authority objections to the proposed development.

**Environmental Health Officer** – This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact. Therefore the Environmental Health Service has no objections.

**Forestry Commission** – Refer to standing Advice in relation to ancient woodland and veteran trees.

**Site Notice Expiry Date** – 7 June 2017

### **Others –**

#### **P Callin, Woodlands Farm, Thimbleby**

We are the nearest property to the shooting ground, located on the opposite side of the road. We have guest accommodation which is now our primary source of income. We believe the plans would benefit us and others in the locality by bringing more visitors to Thimbleby and making shooting more accessible to both local people and guests staying with us. We understand the house of operation will not be extended (which is preferable) and that the plans are to employ more people including instructors.

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The following list of people have all written in support of the proposal for one or more of the reasons stated below:

L Sillars, Moorstones, Ruebury Lane, Osmotherley  
 D Sillars, Highwood House, Kirkby Knowle  
 P Osborne, 19 Kingswood Crescent, Leeds  
 D Dickenson, Oakdale Cottage, Osmotherley  
 J Leith, 48 Westfield Drive, Darlington  
 G Maffey, The Ridings, East Cowton, Northallerton  
 A Taylor, 1 Newham Avenue, Middlesbrough  
 T Bailey, Mount St John Sporting, The Spinney, West Acre Lodge, Boltby  
 P Lawrance, 31 Park Square West, Leeds  
 F Gillian, 10 Pechetts Holt, Harrogate  
 D Lister, Ellenthorpe Lodge, Ellenthorpe, Boroughbridge  
 R Alton, Rushwood Hall, Eat Tanfield, Ripon  
 Lydia Abdelaoui (on Behalf of Femmes Fatales) 3 Victoria Avenue, Kingston-Upon-Hull  
 Duncan Thomas, Northern Regional Director BASC, Marford Mill, Rossett  
 The RT Hon Mowbray & Stourton, Allerton Park Estate, Estate Office, Allerton Park, Knaresborough  
 J Hamilton, 15 Manor Chase, Long Marston, York  
 P Moverley, 1 Yew Tree Farm, Main Street, Great Ouseburn  
 S Marshall, 12 Norton Drive, Bishopgarth, Stockton on Tees  
 D Stenton, Easthill Farm, Wilton Road, Thornton le Dale  
 A Fair, Northfield House, Long Lane, Brompton  
 A Sullivan, Prospect House, Tom Lane, Lower Dunsforth, York  
 C Wharton, 38 The Orchard, Ingleby Barwick  
 C Carter, 15 Juniper Way, Harrogate, North Yorkshire  
 L James (Clay Pigeon Shooting Association) 14 Park View, Leyburn  
 J Phelps, 47 Wheatlands Park, Redcar  
 A Barnard, Wesley House, Cana Lane, Marton le Moor  
 A Coates, 55 Richmond Drive, Houghton le Spring  
 P Foster, Smithy House Farm, Great Smeaton, Northallerton  
 J Dickenson, 1 East View, Nawton  
 M Gatenby, Angrove, Scruton, Northallerton  
 J Lister, Ellenthorpe Lodge, Boroughbridge  
 K Harrison, 55 Ainderby Road, Northallerton  
 S Densley, Ethamie Cottage, Thornton le Street, Thirsk  
 S Andrews, 4 The Close, Ainskip, York  
 R Marshall, Peel House, Middleton Tyas, Richmond  
 M Woods, 53 Valley Drive, Yarm

- The site has good access roads directly from the A19
- The site requires investment to bring it inline other facilities across the region
- The proposal will secure much needed employment
- Nearby pubs rely on participants in rural pursuits
- The proposal will improve facilities for disabled participants

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**Grounds for support continued...**

- The club house will attract more visitors and will allow the site to host and cater for more events in the future which will attract more people to the area and boost local tourism.
- The building has been sympathetically designed to sit into its setting and will provide better safety and security for all people using the premises and facilities.
- The building provides space for training which is of great importance
- Country Sports and conservation of the environment and wildlife go hand in hand, and the Management at Thimbleby are both mindful and respectful of the beautiful environment that surrounds them.
- The Location is hidden away so it does not spoil views of the area.
- There is a shortage of Premier Plus grounds in the north of England
- Upgrading the site will mean there is potential to host prestigious events of a national level
- The doorway to the existing clubhouse is not wide enough to allow wheelchair access
- Corporate groups often look for a package which includes a meal which is hard to provide at present.
- During inclement weather there is insufficient room within the clubhouse to accommodate a large group to deliver a full safety briefing
- The current shipping containers on site detract from the overall appearance of the site
- The proposal will help the Estate to diversify and will support local contractors

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### Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.																					
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Document Description</th> <th style="text-align: left;">Document No.</th> <th style="text-align: left;">Date Received</th> </tr> </thead> <tbody> <tr> <td>Ground Floor Plan</td> <td>1 Rev F</td> <td>20 June 2017</td> </tr> <tr> <td>First Floor Plan</td> <td>2 Rev E</td> <td>20 June 2017</td> </tr> <tr> <td>North and South Elevations</td> <td>3 Rev F</td> <td>20 June 2017</td> </tr> <tr> <td>East and West Elevations</td> <td>4 Rev E</td> <td>20 June 2017</td> </tr> <tr> <td>Proposed site Plan</td> <td>5 Rev F</td> <td>20 May 2017</td> </tr> <tr> <td>Site Section</td> <td>7 Rev A</td> <td>20 June 2017</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Ground Floor Plan	1 Rev F	20 June 2017	First Floor Plan	2 Rev E	20 June 2017	North and South Elevations	3 Rev F	20 June 2017	East and West Elevations	4 Rev E	20 June 2017	Proposed site Plan	5 Rev F	20 May 2017	Site Section	7 Rev A	20 June 2017
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3.	RSUO01	The premises shall not be used other than as a shooting lodge for those using Thimbleby Shooting Ground and shall not be used for any other purpose (including any other purpose in Class D2 of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order).																					
4.	MISC00	If the use of the building as a shooting lodge associated with Thimbleby Farms ceases, the building shall be removed from the land and the land shall within 2 years of the last use of the site, so far as is practicable, be restored to its condition before development took place unless the Local Planning Authority has otherwise agreed in writing or unless planning permission for change of use of the building has been approved.																					
5.	GACS06	The Shooting Lodge hereby permitted shall not be open to customers outside the hours of 9am to 10pm Mondays to Saturday and 9.30am to 5pm on Sundays and Bank Holidays. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.																					
6.	GACS07	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 installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.																					
7.	GACS00	Within six months of the first use of the building approved under this application all existing steel containers and other detritus shall be removed from the site.																					

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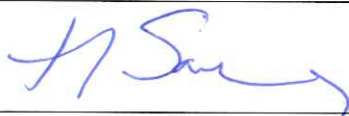
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8.	LNDS00	Within two months of the Commencement of Development the Owner of the site shall submit the Woodland Scheme to the National Park Authority for approval and when approved the Owner shall fully implement the approved Woodland Scheme. For the benefit of this condition the Woodland Scheme is a scheme for the management of woodland and woodland areas at the Site and Surrounding Land that accords with good environmental, conservation, wildlife habitat and estate management principles and to include long term management of proposed and existing trees and to include a long term programme of new planting and replacement planting to ensure and improve continuous woodland cover in perpetuity.
9.	LNDS00	No use of the new Shooting Lodge hereby approved shall take place, until the 'Woodland Management Plan' described in Section 7 of the submitted Visual Appraisal has been submitted and approved by the Local Planning Authority. Thereafter the use shall only take place whilst the approved Woodland Management Plan has been implemented and actively being monitored.
10.	MATS00	No work shall commence on the construction of the building hereby approved until full details of the proposed materials and method of construction have been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details.
11.	MATS00	No work shall commence to install the windows and doors in the development hereby approved until details of the colour and finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
12.	MATS00	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13.	MISC00	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9 on Page 16 of the submitted Bat Survey dated July 2017.
14.	MISC12	The development hereby permitted shall not be brought into use until the approved renewable energy measures to generate energy on site from renewable sources to displace at least 10% of predicted CO <sub>2</sub> emissions have been installed and thereafter maintained in a working condition.

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**Reason for Condition(s)**

1.	RSN TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSN PLAN01	For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3.	RSN RSUO01	In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4.	RSN MISC00	In order to comply with the provisions of NYM Development Policy 13 and 14 and 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.
5 - 7	RSN GACS01	In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
8 & 9.	RSN LNDS01	In order to comply with the provisions of NYM Development Policy 3 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.
10- 12.	RSN MATS02	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 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.
13.	RSN MISC04	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
14.	RSN MISC06	In order to comply with the provisions of NYM Core Policy D which seeks to ensure that new development contributes to reduce carbon emissions.

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**Background**

Thimbleby Shooting Ground is located in Town End Wood, immediately to the south of Main Street Thimbleby Village approximately 1.5kms east of the A19 Trunk Road. Access to the Shooting Ground is gained from Thimbleby Road where it turns north to enter the village. It is located on the extreme western edge of the North York Moors National Park, the boundary of which is demarcated by Thimbleby Road and Main Street. From Thimbleby Road, the Shooting Ground is accessed via a track that runs through Town End Wood before emerging into a clearing containing a car park surfaced in loose stone, and a range of buildings and stores. Further to the south the area is more open and contains a variety of shooting ranges at various levels. A tree lined stream runs through the site in a north to south direction and terminates at a pond to the south of the existing clubhouse. Another wet area runs along the same north to south axis further south.

The shooting ground is visually well contained due to a combination of topography and vegetation. The club house and parking area is set at the lowest part of the bowl and the land to the east rises in a series of terraces that provide access to the shooting ranges. Land to the north and west generally falls away from the site to the A19, but there are a series of local ridges and rounded hills that restrict views from various locations to the west of the site.

Town End Wood links to plantations on the east and west boundaries of the site, and to hedgerows in adjacent fields, to reinforce the enclosure provided by landform and to suggest that the site is located in a bowl or hollow.

Land use in the vicinity of the proposed Development Site is a mix of arable and pasture fields bounded by hedgerows. There are also some significant blocks of woodland, especially on higher ground to the east. Localised folds in the landform also give rise to a number of narrow valleys, often poorly drained, that limit views from some locations. Buildings are restricted to scattered farmsteads and the village of Thimbleby immediately to the north. A significant feature of the area is the extensive network of public footpaths and bridleways.

The proposed development seeks to replace the existing clubhouse and ancillary buildings with a new Shooting Lodge. The existing clubhouse is a rectangular building with a pitched roof approximately 9 metres long by 6 metres wide; it measures 2.8 metres to the eaves and 3.68 metres to the ridge. It is timber clad with a corrugated metal roof.

The proposed Shooting Lodge would be a timber framed building with timber cladding and a dark grey sheeting roof. The footprint of the new building would be cruciform measuring 23 metres on its north-south axis and 15.5 metres on its east-west axis. In addition, the north elevation has a 2.5 metre wide porch at the front entrance and the roof extends a further 2.6 metres on the south elevation to provide a covered walkway. The cruciform building footprint is not uniform in that the south gable extends 4 metres from the main building, whereas the north elevation extends 2.8 metres but has the entrance porch extending a further 2.1 metres from the main building. The apex of the gables extend to the ridgeline of the roof and contain a high proportion of glazing, particularly to the north and south.

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The proposed Shooting Lodge would have a height to the roof eaves of 3.41 metres from finished floor level and a ridge height of 7.5m. A narrow chimney would extend from the centre of the building to 1.5 metre above the ridgeline.

A letter of support has been submitted by the agent from the applicant's accountants stating that the granting of planning permission will enable their client to progress with an important diversification project. The development of Thimbleby Shooting Ground will provide both an important profit contribution to the business, and also increase opportunities for local employment.

They have also forwarded letters from the Firearms and Explosives Licensing Manager at North Yorkshire Police and the National Development Manager of the Clay Pigeon Shooting Association who support the proposal stating that it will help to make a positive contribution to crime reduction on the site and will help the ground to move towards recognition as a Premier or Premier Plus Ground through improving facilities to ensure that the customer is getting the best experience available when visiting the ground.


**Main Issues****Policy Background**

The relevant policies of the Local Development Framework are Core Policy A, Development Policy 1 and Development Policy 14. Core Policy A seeks to further National Park purposes by encouraging a more sustainable future for the Park whilst conserving and enhancing the Park's special qualities. It states that priority will be given to providing a scale of development and level of activity that will not have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, nor detract from the quality of life of local residents or the experience of visitors. It also states that priority will be given to strengthening the rural economy and providing tourism based opportunities for the understanding and enjoyment of the Park's special qualities.

Development Policy 1 seeks to conserve and enhance the special qualities of the Park by not permitting development which would generate unacceptable levels of noise, vibration, activity or light pollution or have an adverse impact on the health, safety and amenity of the public.

Development Policy 14 supports the expansion of existing tourism and recreation businesses where, amongst other criteria, the proposal will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park, where the site can be satisfactorily accessed from the road network and will not generate an increased level of activity, including noise which would be likely to detract from the experience of visitors and the quality of life of local residents. Proposals should make use of an existing building, where a new building is required it will be expected that it is demonstrated that the facility cannot be satisfactorily accommodated within an existing building in the location.

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**History**

Thimbleby Shooting ground has a long history of temporary consents, refused appeals, retrospective application, certificates of lawfulness and variation of conditions, however the current operation of the site appears to be largely authorised. The Estate has recently taken the site back under their own control and has invested in the shooting 'stands' and general appearance of the site.

The history dates back to a retrospective application in 1993 (NYM2/148/0023) which was recommended for refusal but approved by the Planning Committee allowing a temporary 3 year consent. At this time there was a static caravan on site which was used as the office and a significant investment into the landscaping of the site was proposed.

Permanent consent was refused by the Authority under NYM2/148/0023A but allowed on Appeal in 1995.

In 1996 permission was refused and turned down on appeal for the construction of a shooting lodge and secure storage building with a footprint of approximately 80sqm (NYM2/148/0023B). The inspector's decision letter states that the proposed building would be a very obvious man made feature in a view which contains few such features. It goes on to state that it would be conspicuous in itself and the concentration of activity in and around it would draw attention to the land which at present has only a minimal impact on the natural beauty of the national park. They went on to state that the enjoyment of this particular kind of sport need not depend on buildings for the collection of money, administration, shelter and socialising. Indeed it is widely enjoyed as an outdoor activity entirely compatible with open countryside.

In 1998 a 5 year temporary permission was granted for the smaller building which is currently on site today. NYM2003/0825/FL issued in 2003 gained approval for the retention of this building for a further 10 years.

In 2008 a Certificate of Lawfulness application was submitted for 10 years of non-compliance with the condition which restricted the hours of operation, however the certificate was withheld as the Planning Authority considered that the applicant had not produced sufficiently precise and unambiguous evidence, un-contradicted by other sources, to establish on the balance of probabilities that the use had taken place.

In 2009 (NYM2009/0086/FL) a variation of condition of the original permanent permission was applied for to vary the opening times. This was originally granted for 2 years but was then made permanent under NYM2011/0303/FL at which time it was also confirmed that no more than 12 shooting positions shall operate on the site at any one time.

**Activity Levels and Impact on the Immediate Locality and Wider Landscape of the National Park**

The applicant's agent has sited the fact that the existing shooting ground is a means of diversification upon which Thimbleby Farms rely heavily to supplement their agricultural enterprise.

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The shooting and therefore noise related activity levels on the site are authorised and restricted under the 2011 approval. As this application merely relates to the replacement of the existing club house with a shooting lodge the noise related activity is not considered to be pertinent to this application as the site is already operating to its maximum capacity already and the improvement in facilities offered on site will therefore not lead to an increase in activity level, albeit that users of the site may remain on site for longer before and after their turn shooting.

It is worthy of note that previous applications with regard to the hours of operation have resulted in objections for occupants of Thimbleby village, however this application has not received any letter of objection to it at all. A large number of users of the site have supported the proposal, along with the closest neighbour and other occupants from within the nearby Parishes.


The site is an existing shooting ground with an authorised level of use relating to a 2011 approval. Development Policy supports improvements to the quality of existing recreation products within the National Park where they meet the same criteria that the 2011 application was approved against. This application is unlikely to generate any increased level of activity or noise and therefore the application is considered to meet the requirements of this policy.

**Landscape Impact**

The application is accompanied by a Visual Appraisal which assesses the visibility of the site in the landscape from the surrounding rights of way which surround the shooting ground. Due to the location of the site in a hollow in the landform and due to the maturing of the landscaping planted following the 1993 approval only small glimpses of the site are possible and it is not considered that even with the increased roof height that the proposed building would be prominent in the landscape. Cross sections through the site have been provided to show how the topography and existing tree cover all help to provide an enclosed setting for the proposed building with the height of the land at the boundary big around 10 metres above the top of the proposed building. Although ground levels on the western boundary would be below the ridge line of the proposed Shooting Lodge it is worth noting that, immediately to the south west a small rounded hill rises again reinforcing the low lying nature of the proposed development site, although the land does fall away to the northwest towards Thimbleby Road, however the proposed height of the building is well below the canopy level of the existing trees on the western boundary. The Shooting Lodge would be located with its western gable generally coinciding with the west elevation of the existing clubhouse and extend eastwards back into the site. This would contribute to lessening the visual effects of the development to views from this direction.

The Visual Appraisal does go on to recommend new planting within the existing poorly managed trees belt to the west of the site to ensure that glimpse views of the site, particularly during the winter months are reduced as far as possible.

As an Authority we would also be looking to ensure that the surrounding woodland is managed to ensure that the site is not prominent in the landscape in perpetuity and therefore a woodland management condition has been imposed on the approval. The now mature woodland setting is the overriding reason why this application is now being considered to be

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acceptable where as a much smaller building was refused and turned down on appeal around 20 years ago. From photos which the Authority holds from that time the site is very open and barely recognisable as the present well wooded site.

**Design**

Negotiations have taken place during the application process to reduce the height of the proposed building ensure that it could be removed should the shooting operation cease on the site as this is not considered to be a sustainable location for most other uses. To reflect the functional use of the building and its removable nature, the roof materials have also been changed from slate to a grey roof sheeting.

The glazed gables and low eaves help to visually reduce the massing of the two storey building. It is now proposed to be constructed of natural feather edges boarding which will be left to silver and a dark grey sheeting roof with PV cells located on it. The use of glazed gables to the north and south create a welcoming feature and good views out across the shooting stands, whereas the East and West elevations which have the possibility of being more visible from the wider landscape, have a more solid construction.

Internally there is a large reception and seating area with a 360 degree open fire in the centre for space heating and visual focus. The side wings of the building will accommodate the office, cartridge store and secure display area as well as changing rooms, toilets, staff rooms and kitchen with a service hatch to the main foyer. Upstairs in the side wings there is an further office and staff kitchen and toilets as well as a bridge across the central foyer to a class room.

It has been stated that the size of the building is required to meet the required standards in terms of disabled access, security and to provide adequate facilities for users and staff on the site.

The existing car park area is located to the north of the clubhouse within clearings in Town End Wood and is surfaced with loose stone. There is no intention to change the car park layout and no existing trees would be lost as a result of the development.

The shooting operation is restricted to daylight hours so there is no need for lighting other than low key lighting associated with the building, generally above doors. Wall mounted security lights would also be required but only activated when the sensor is tripped. It is therefore considered that the visual effect of lighting associated with the proposed development would be an issue and therefore details have been reserved by condition.

**Hours of Operation**

The application form has request 9am to 10pm Monday to Saturday and 9.30 to 5pm on Sundays and Bank Holidays. This allows for people being on the site half an hour before they are able to commence shooting and between 5.5 hours and 1.5 hours after the final time of shooting on site. There are no residential dwellings in close proximity to the proposed building and therefore it is not considered that any adverse impact will result in relation to these hours. The use of the site will however be restricted to users of the shooting facility only to ensure that it does not become a venue for functions unrelated to the shoot use on the site.

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**Bats**

A Bats report has been submitted as part of the application which shows that there has been some historic use of the existing building on site by pipistrelle bats but an internal inspection of the building and an emergence survey showed no sign of a roost being present. The building is surrounded by high quality bat habitat but has few features that could be used for anything other than a small transient bat roost. As there is a small possibility that bats might be found when the building is demolished the method statement and mitigation suggested within the submitted bat report has been conditioned.

**Conclusion**

The Local Planning Authority considers that the construction of the proposed new Shoot Lodge is unlikely to have an unacceptable impact on the wider landscape or the quiet enjoyment, peace and tranquillity of the Park, or detract from the quality of life of local residents or the experience of visitors above the level of use already authorised on the site and would accord with Core Policy A, Development Policies 1, 3 and 14 of the NYM Local Development Framework.

**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 recommended changes to the proposal including the design and construction methods of the building, so as to deliver sustainable development.

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