

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
Parish: Newholm-Cum-Dunsley

Application No. NYM/2017/0265/FL

**Proposal:** demolition of existing agricultural building, site leveling, construction of replacement agricultural building and widening of existing access point

**Location:** Selly Hill Farm, Guisborough Road, Aislaby

**Decision Date:** 26 July 2017

## Consultations

### Borough/District -

**Parish** – The reposition of the Agricultural Building and Alterations to entrance is a much needed development to allow safer turning on to this fast stretch of the A171 Road.

**Highways** - The design standard for the site is The Design Manual for Roads and Bridges for calculating visibility splays. The required visibility splay is 2.4 metres by 160 metres. The current visibility (if the demolished building was rebuilt in exactly the same location) looking uphill far exceeds this as the building is located behind the 2.4 metre line. The current visibility looking downhill is 2.4metres by 90 metres for drivers been able to see the nearside lane of traffic. However, it far exceeds the 160 metres for traffic in the far lane. Additionally, there is a solid white centreline starting approximately 175 metres north east of the access to a point past the access for vehicles travelling uphill from the Whitby direction. This prohibits vehicles approaching the access from overtaking so there should not be any reason why an approaching vehicle would be in the near side lane. All approaching vehicles would therefore be expected to be visible for drivers waiting to exit from the access.

There are two recorded collisions in this area from data over the last 5 years but neither of these are related to vehicles entering or leaving the access.

Although the applicant is not requesting anything that would intensify the amount of traffic using this access, the local Highway Authority is concerned that the section of the proposed access that is within the boundary of the publicly maintainable highway should be constructed to the NYCC specification and that the existing gully is adequately protected. That existing gully is located slightly outside the current access but for the proposed widened access, it would likely be positioned where vehicles wheels will travel over it. In order to protect it, the access should be constructed with a new dropped kerb, similar to the access located on the opposite side of the road and slightly downhill. Consequently the Local Highway Authority recommends Conditions to attached to any permission granted.

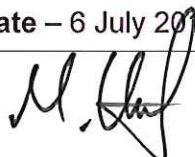
### Yorkshire Water -

### Environmental Health Officer –

**Environmental Agency** – We have no objections to the development but would like to draw the applicant's attention to the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010. (see informative)

**Site Notice Expiry Date** – 6 July 2017

Signature:



Date:

24/7/17

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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.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	MATS00	The external walls of the development hereby permitted to be constructed of stone shall be constructed in natural stone, which shall be coursed and jointed in the local tradition.
4.	MATS19	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 unless otherwise be agreed in writing with the Local Planning Authority.
5.	MATS26	The external elevations of the agricultural building hereby approved shall, within three months of first being brought into use, be clad in vertical timber boarding and shall thereafter be so maintained unless otherwise agreed in writing by the Local Planning Authority.
6.	MATS00	No work shall commence on the timber cladding of the development hereby permitted until details of the timber cladding including samples and finish if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7.	HWAY00	<p>Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements</p> <p>a. The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority</p> <p>d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and incorporating Standard Details numbers B4 and E9A.</p> <p>e. Any gates or barriers shall be erected a minimum distance of 15 metres back from the carriageway of the existing highway.</p> <p>f. That part of the access extending 6 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.</p> <p>h. The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.</p>
8.	HWAY00	The hedge on the applicants boundary wall shall be maintained to ensure the visibility areas are maintained clear of any obstruction and retained for their intended purpose at all times.

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9.	LNDS01	Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for individual native specimen trees along the western edge of the proposed shed and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
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**Informative(s)**

1.	All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
2.	<p>SSAFO Regulations</p> <p>Any new or substantially altered agricultural facility must comply with the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil (SSAFO)) Regulations 2010.</p> <p>The applicant is advised to review the existing on-farm slurry and manure storage and ensure compliance with the SSAFO Regulations. You must inform the Environment Agency, verbally (Tel: 03708 506 506) or in writing, of a new, reconstructed or enlarged slurry store, silage clamp or fuel stores at least 14 days before starting any construction work. The notification must include the type of structure, the proposed design and construction, and once an agreed proposal has been constructed we will ask you to send us a completed WQE3 notification form before you start using the facility.</p> <p>Further guidance is available: Storing silage, slurry and agricultural fuel oil <a href="https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil">https://www.gov.uk/guidance/storing-silage-slurry-and-agricultural-fuel-oil</a></p> <p>All farms should be constructed and operated in accordance with the advice contained in DEFRA's 'Protecting our Water, Soil and Air - a code of good agricultural practice for farmers, growers and land managers'. <a href="https://www.gov.uk/government/publications/protecting-our-water-soil-and-air">https://www.gov.uk/government/publications/protecting-our-water-soil-and-air</a></p>
3.	In relation to condition 7 you are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

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4.	In relation to condition 8 an explanation of the terms used above is available from the Highway Authority.
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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 & 4.	RSN MATS01	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 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 & 6.	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.
7.	RSN HWAY07	In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
8.	RSN HWAY10	In accordance with NYM Development Policy 23 and in the interests of road safety.
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.

**Background**

This application is for the construction of a new farm building at Selly Hill Farm, Guisborough Road, Whitby. The existing building stone and pantile building to the west of the farm entrance was damaged in a road accident rendering it unsafe and therefore it has been removed. The second building which attached to the stone and pantile building is visually less interesting and it is proposed to also remove this building to make way for a single larger building to be used for tractor storage and coppice drying.

The new building will be constructed in two sections with the part nearest the road having a stone dwarf wall and a slightly lower roof height. The section further from the road will be constructed of concrete panels. Both parts of the building will have a cement fibre roof and timber cladding to the walls.

The new building will be set back 3.5m further from the highway than the original building was and will be constructed along the line of the back wall of the existing building to allow more space within the farmyard to access to the building.

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### Main Issues

Applications for new agricultural buildings are considered against Development Policy 12 of the NYM Local Development Framework.

Development Policy 12 of the Local Development Framework seeks to permit proposals for new agricultural buildings, tracks and structures or extensions to existing 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, and a landscaping scheme which reduces the visual impact of the proposal on the wider landscape is submitted as part of the proposal.

The proposed building is set at the edge of the existing farm yard and back from the road edge to improve visibility. The stone from the existing buildings on site will be reused on the lower section of the front part of the building which is welcomed. The change in materials and roof height (albeit reduced from pre-application stage) is also welcomed to help break up the massing of the proposed building.

The materials have been conditioned to ensure that the type of cladding in particular is appropriate for the setting and landscaping was discussed at pre-application stage and has been conditioned to ensure that a few specimen trees are planted along the western edge of the proposed building to help to break up the massing of the large new building further.

Taking into account the proposed conditions it is considered that the scheme accords with the requirements of Development Policy 12 and therefore approval is recommended.

### 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.

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