

**From:**  
**To:** [Planning](#)  
**Cc:**  
**Subject:** FAO Hilary Saunders - Objection to Planning Application NYM/2018/0094/FL  
**Date:** 02 April 2018 14:56:03  
**Attachments:** [Objection.odt](#)

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Dear Ms Saunders,

Please see attached an objection to Planning Application NYM/2018/0094/FL for the Authority's consideration.

Thank you

Yours sincerely

John Allan

NYMNPA

03/04/2018

Dr John R and Mrs Victoria Allan  
9 Low Dalby  
Pickering  
N Yorks.  
YO18 7LY

Dear Ms Saunders,

### **Objection to Planning Application NYM/2018/0094/FL**

We wish to lodge a formal objection to planning application NYM/2018/0094/FL on the following grounds:

#### **General**

The applicant has access to thousands of hectares of land on which it can site this development. Prior to objections being raised by the residents of Dalby Village, consultation by the applicant had been negligible (a single letter to the residents of no 10) and no attempt had been made to gauge the impact of the proposal on the residents nor, as far as we are aware, to consider alternative locations for the development. It may be possible to alleviate some or all of the concerns of the residents by modifying the application, but at the present time the plans as submitted are unacceptable to us and we wish to object on the following specific grounds:

#### **1 Appropriateness of the development for the local area.**

The National Park's Planning Development Policy section 3: Design states *inter alia* that applications may be approved if **'The siting, orientation, layout and density preserves or enhances views into and out of the site, spaces about and between buildings and other features that contribute to the character and quality of the environment'**; and **'The scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with surrounding buildings'**.

We contend that this development, involving the construction of a copy of a grey Nissen Hut approximately 10m long by 3m high, is not consistent with the character of the local area. We can find no reference in the National Park planning guidance concerning sculptures or other works of art, but since this installation is a direct copy of a building in size, shape and colour, we believe that it should be considered as a building in the absence of any other guidance.

Whilst Nissen Huts were obviously a feature of the forest in its early days, they have not been present in the village for many years, and when we purchased our property from the Forestry Commission, we (and all of the other property owners) were required to sign a covenant imposing a variety of restrictions, including the frequency and colour of the painting of our property order to 'preserve the character of the village, which is somewhat unique'. That character, identical white-painted houses clustered around a village green,

which we are required to preserve, does not involve Nissen Huts or similar buildings. Were we to apply for permission to erect a 10m long, 3m high grey Nissen Hut in our back garden it would, in all likelihood, be refused because of its impact on the character of the village. We submit that the same standard should be applied to this application and that it should be refused.

## **2 Unacceptable increase in Disturbance**

The National Park Planning Core Policy A: Delivering National Park Purposes and Sustainable Development states inter alia that priority will be given to applications that **'Provide 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 National Park, nor detract from the quality of life of local residents or the experience of visitors.'**

Development Policy 14: Tourism and Recreation states inter alia that **New tourism development and the expansion or diversification of existing tourism businesses will be supported where: The development 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.**

The development of the Ellerburn Trail and its subsequent use as a children's attraction using the Gruffalo and other fictional characters to attract more visitors has already had a huge impact on the residents of Dalby Village, especially those in nos. 1,2,7,8,9 and 10 whose properties front onto the access route from the visitor car parks to the start of the trail. Information provided to us by the Forestry Commission shows that around 70,000 people used the Ellerburn trail in the past 12 months. Given that visitors need to pass through the village in both directions to access the trail from the car parks, this equates to a footfall of 140,000 per year. This footfall is not evenly distributed and is heavily biased towards weekends and bank holidays when the stream of people passing the front of the houses in the village can be continuous. The impact of 140,000 people in terms of noise, loose dogs, excited toddlers and general intrusion means that nobody uses their front gardens in the village any more, and the resident's car parks are frequently blocked with visitors cars, despite the signage recently erected by the Forestry Commission. This is already, in our view, an unacceptable level of intrusion that detracts from our quality of life and, indeed, probably detracts from the experience of visitors on crowded days.

At present, because the vast majority of visitors pass through the village to get to the Ellerburn Trail, the track at the back of nos. 5 to 10 in the village is very little used. The proposed installation will join the Ellerburn Trail to the southern end of this track providing a loop around which those who only come to view the sculpture can return to the visitor car parks without retracing their steps. The land to the rear of nos. 5 to 10 rises steeply behind the houses, meaning that those walking along the track can see into gardens, ground floor and bedrooms of nos. 5 to 10, completely destroying any remaining privacy enjoyed by the residents, the front of whose houses are now passed by such a large number of visitors. In informal meetings the forestry staff have agreed that it is 'likely' that visitors will seek to use the path to the rear of the houses, further impacting on the quality of life of the residents.

The applicants have already stated in meetings with village representatives that the development they propose will attract more visitors through the village, and that they are likely to use the track to the rear of nos. 5 to 10, so the noise, disturbance and intrusion, which is already unacceptable at the front of the properties, will only get worse and will be spread to the rear as well. The new installation will further impact the village in that many of those coming to see it will remain close to the village to admire the sculpture rather than moving on further down the trail as happens at present. We contend that this development will exacerbate and already unacceptable situation and further detract from the quality of life of the village residents and the application should therefore be rejected.

### **3 Traffic safety**

The National Park's Development Policy 3: Design states inter alia that designs are likely to be acceptable if: **The design takes account of the safety, security and access needs for all potential users of the development and provides car parking provision in line with the standards adopted by the Authority.**

Village residents, Forestry Commission staff, those accessing the fishing lakes near Paper Mill Farm, timber haulage lorries and others with legitimate business in the forest, as well as visitors, who frequently ignore the no entry signs in attempting to drive to the Ellerburn Trail, all drive along the road that passes through Dalby Village. In addition, large numbers of cyclists also use this road to access the forest resulting in congestion and confusion when the trail is at its busiest. Residents leaving the designated car parking areas or accessing their garages run a gauntlet of loose toddlers, loose dogs erratic cyclists and inattentive pedestrians on a daily basis. The proposed development will only serve to make this situation worse and there has been no provision made in the application for dealing with the additional footfall and traffic that the new installation would attract if it were permitted. We contend that the design makes no provision for the safety security and access needs of the potential users of the development and should be rejected.

Yours Sincerely,

Dr John R. and Mrs V. Allan