

## North York Moors National Park Authority

<b>Scarborough Borough Council (North)</b> <b>Parish: Fylingdales</b>	<b>App Num. NYM/2014/0561/FL</b>
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**Proposal:** Re-roofing of agricultural building and re-building of central section, creation of earth bund together with formation of hardstanding

**Location:** land & Buildings at Church Lane, Fylingthorpe

**Applicant:** Mr Nigel Sutterby, The Manse, Thorpe Bank, Fylingthorpe, Nr Whitby, North Yorkshire, YO22 4UA

**Date for Decision:** 17 November 2014

**Grid Ref:** NZ 494120 505459

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN02 Strict Accordance With the Plans/Specifications or Minor Variations
3. RSUO00 The buildings to which this permission relate shall not be used other than for agricultural and forestry purposes as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).
4. GACS01 Hours of Use of Machinery (0800 hrs, 0830 hrs, 1900 hrs, 1800 hrs)
5. GACS07 External Lighting - Submit Details
6. MATS19 Roof Colouring (dark grey/black)
7. MATS26 Timber Cladding (agricultural building) (vertical timber boarding)
8. MATS27 External Timber Cladding to be Stained (dark brown)
9. MATS00 All new window frames and glazing bars shall be of timber construction and shall be maintained in that condition in perpetuity.
10. LNDS00 All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the building being first brought into use, 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.

#### Informative(s)

1. MISC INF01 Bats

### Consultations

**Parish** – No objections

**Highways** – No objections

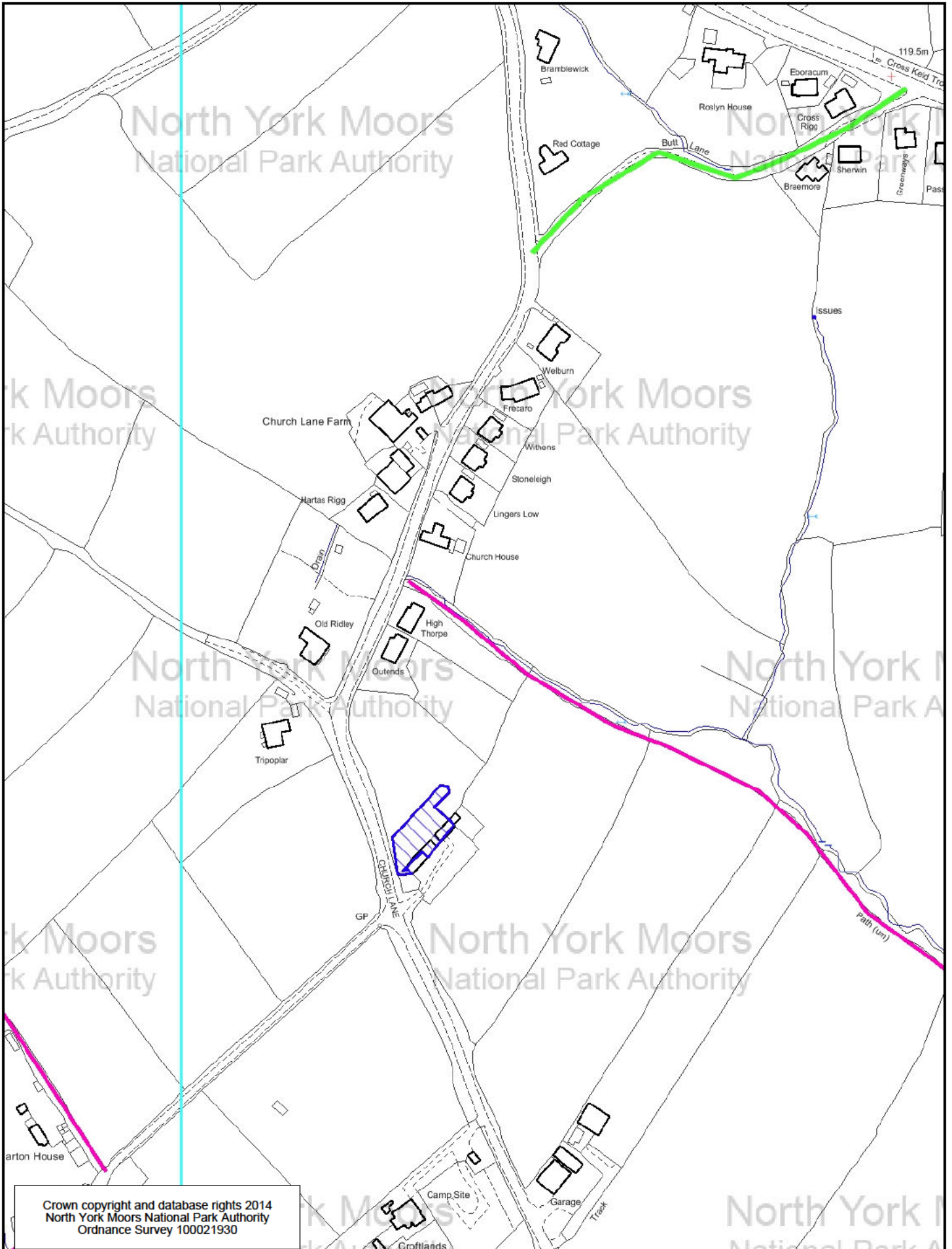
**Fylingdales Village Trust** –



North York Moors National Park  
 Authority  
 The Old Vicarage  
 Bondgate  
 Helmsley YO62 5BP  
 01439 772700

Application Number: NYM/2014/0561/FL

Scale: 1:2500



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**Site Notice Expiry Date** – 23 October 2014

**Others – Mr & Mrs Hayward, Old Ridley, Church Lane, Fylingthorpe** - Object for the following reasons:

- The proposal seems to be for commercial purposes as the owner of the buildings and land is not a farmer although the fields are let out for grazing sheep.
- The site also has a history of work being carried out without planning permission.
- The character of the barn will be changed from a small agricultural building to something resembling a large utilitarian industrial unit.
- What's the reason for a bund when the spoil could have been levelled?
- The site is an eyesore and we fear further sprawl.

### **Background**

This application relates to a group of buildings originally used for agricultural purposes or stabling, located in an isolated and prominent location close to but outside the village of Fylingthorpe. The buildings are sited within an agricultural field, close to the road known as Church Lane that leads into Fylingthorpe. The group of buildings comprise a brick and pantile building and a blockwork and corrugated roofed mono pitched building with part of a brick building between the two which no longer has a roof.

Planning permission was refused and subsequently dismissed at appeal in 2005 to convert this brick building into a two bedroom holiday cottage, and to retain the block work building to service the land or provide a stabling facility for use in connection with the proposed holiday cottage.

The building is now in different ownership.

Planning permission is now sought to re-roof the open fronted building with a dark grey sheet roof and re-clad it in timber. It is also proposed to re-build the central linking section with vertical timber cladding and a dark grey sheet roof.

Retrospective consent is also sought for the levelling of land immediately to the rear of the buildings to provide a hardstanding area surfaced with brick and tile rubble and solid and grass seed. The clearing of this area has resulted in an earth bund immediately to the rear which has been grass seeded. It is proposed to plant the bund with native species including hawthorn, holly, rose and hazel.

The applicant has advised that the works are proposed to improve the aesthetics of the site and in order to be able to utilise the buildings for the storage of agricultural machinery and equipment and also to provide shelter in relation to the grazing of the land with livestock, currently sheep.

### **Main Issues**

#### **Policy Context**

Development Policy 3 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 and design are compatible with surrounding buildings; that the standards of design are high; 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.

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**Policy Context (continued)**

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.

**Material Considerations****Design and Materials**

The proposed materials are lightweight in appearance and considered appropriate for an agricultural use. The use of timber boarding and a dark grey or black sheet roof would result in a building which would not be visually intrusive in the immediate or wider landscape.

**Suitability for Conversion**

The buildings have been previously found not to be suitable for conversion to residential use, due to the poor architectural quality of the buildings. However, the buildings are sat in a parcel of agricultural land, albeit a small parcel, it is considered reasonable to re-use the building for ancillary agricultural storage. Furthermore, as the building materials are lightweight and not appropriate for residential use and partly open fronted, it is not considered that the granting of this permission would lead to renewed pressure to convert the buildings into living accommodation.

**Impact on Neighbouring Properties**

The building and land are not in close proximity to residential properties and it is not considered that the proposed works to the building or the retention of the planted earth bund would have an unacceptable impact on residential amenities.

**Access and Parking**

There is an existing access onto the site and it is not considered that this proposal would lead to significant traffic movements which would have a detrimental impact on highway safety.

**Landscape Impact**

It is considered that the proposed works to the building would improve the visual appearance of the group of buildings and would not harm the character of the locality. Whilst earth bunds are normally resisted, as they are an artificial feature in the landscape, it is not considered that the bund here, provided the hedgerow planting proposed is undertaken, would be visually intrusive or undermine views across the bay. It is not considered that the works undertaken warrant enforcement action being taken.

**Recommendation**

In view of the above the proposal is considered to be in accordance with Development Policy 3 and Development Policy 12 and approval is recommended.

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**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 maintain the economic, social and environmental conditions of the area.