



Received  
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### Questionnaire (s78) & (s20)

Planning, Listed Building Consent and Conservation Area consent

Appeal ref: APP/W9500/W/15/3129852

Appeal by: L K + G Hodgson

Grid ref: NZ 93 03

Site address: land near Demesne Farm, Fylingthorpe

Postcode: YO22 4QF

When you have completed this questionnaire you must send a copy, with attachments, to the appellant/agent and to our case officer, **within 2 weeks** of the 'starting date'. You can send it to us by e-mail. The start date and case officer's details and e-mail address are in our letter.

1	a	Despite our initial letter, do you consider that this appeal can be dealt with by the written representation procedure?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	b	Or do you wish to be heard by an Inspector at;		
		(i) a hearing? or	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
		(ii) an inquiry?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	c	How long do you expect an inquiry would last?		_____ days
	d	How many witnesses do you intend to call?		_____
e	What are the preferred Hearing dates you have agreed with the appellant/agent? (2 dates should be provided, or more if possible)			
_____				
f	What are the preferred Inquiry dates you have agreed with the appellant/agent? (2 dates should be provided, or more if possible)			
_____				
2	a	If the written procedure is agreed, can the relevant part of the appeal site be seen from a road, public footpath, <u>bridleway</u> or other public land?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	b	Is it <i>essential</i> for the Inspector to enter the site to assess the impact of the proposal?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
		If YES, please explain;	<u>TO ASSESS LANDSCAPE IMPACT IN REMOTE LOCATION</u>	
c	Are there any known health and safety issues that would affect the conduct of the site inspection?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
	If YES, please describe;	<u>POSSIBILITY OF LIVESTOCK IN FIELDS + UNEVEN TERRAIN</u>		

3	Please provide the name, telephone number and e-mail address of the officer we can contact to make arrangements for the site visit, hearing or inquiry.	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	Name: <u>Wendy Strangovan</u>		
	Tel No: <u>01439 772700</u>		
	E-mail address: <u>planning@northyorkmoors.org.uk</u>		
4	Does the appeal relate to an application for approval of reserved matters?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
5	Was a DMPO 2010 Article 12 (Regulation 6 for listed building or conservation area consent) certificate submitted with the application?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
6	Did you give publicity to the application in accordance with either Article 13 of the DMPO 2010, Section 67/73 of the Planning (Listed Buildings and Conservation Areas) act 1990 or Regulation 5 of the Planning Listed Buildings and Conservation Areas) Regulations 1990?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>
	If YES, please attach;		
	a a copy of the notice published;	<input checked="" type="checkbox"/> Attached	
	b any representations received as a result of that notice;	No of docs <u>0</u>	
7	Is the appeal site within;		
	a A Green Belt?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	b An Area of Outstanding Natural Beauty?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
8	Is there a known surface or underground mineral interest at or within 400 metres of the appeal site which is likely to be a material consideration in determining the appeal?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please attach details.	<input type="checkbox"/> Attached	
9	a Are there any other appeals or matters relating to the same site still being considered by us or the Secretary of State?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please give our reference numbers and if necessary attach details.		
	Refs: _____	<input type="checkbox"/> Attached	
	b Are there any other appeals or matters adjacent or close to the site still being considered by us or the Secretary of State?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please give our reference numbers and if necessary attach details.		
	Refs: _____	<input type="checkbox"/> Attached	
10	Would the development require the stopping up or diverting of a public right of way?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please attach an extract from the Definitive Map and Statement for the area, and any other details.	<input type="checkbox"/> Attached	
11	a Is the site in a Conservation Area?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, please attach a plan of the Conservation Area	<input type="checkbox"/> Attached	
	b Does the appeal relate to an application for conservation area consent?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
12	a Does the proposed development involve the demolition, alteration or extension of a listed building?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>
	If YES, is it a:		
	Grade 1 <input type="checkbox"/> Grade II* <input type="checkbox"/> Grade II <input type="checkbox"/> Date of Listing: _____		
	b Would the proposed development affect the setting of a listed building?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>

If YES, to (a) or (b), please attach a copy of the relevant listing description from the List of Buildings of Special Architectural or Historic Interest.

Attached

**C** If YES to (a) or (b), was English Heritage consulted?

YES  NO

Please attach a copy of any comments

Attached

**13** Has a grant been made under s3A or s4 of the Historic Buildings and Ancient Monuments Act 1953?

YES  NO

**14 a** Would the proposals affect an Ancient Monument (whether scheduled or not)? NB - FYLINGE PARK WALL S.A.M. NEARBY.

YES  NO

**b** If YES, was English Heritage consulted?

YES  NO

Please attach a copy of any comments.

Attached

**15** Is any part of the site subject to a Tree Preservation Order?

YES  NO

If YES, please attach a plan showing the extent of the Order and any relevant details.

Attached

**16** Have you made a Local Development Order under s61A to s61C of the Town and Country Planning Act 1990 (as inserted by s40 of the Planning & Compulsory Purchase Act 2004) relating to the application site?

YES  NO

If YES, please attach a copy of the relevant order.

Attached

**17** Does the appeal involve persons claiming Gypsy/Traveller status, whether or not this is accepted by the planning authority?

YES  NO

**18 a** Is the appeal site in or adjacent to or likely to affect an SSSI and/or an Internationally designated site (ie. cSAC, SAC, pSPA, SPA, Ramsar)?

YES  NO

If YES, please attach the comments of Natural England.

Attached

**b** Are any protected species likely to be affected by the proposals?

YES  NO

If YES, please attach details.

Attached

**19 Environmental Impact Assessment**

**Schedule 1**

**a** (i) Is the proposed development Schedule 1 development as described in Schedule 1 of The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?

YES  NO

(ii) If YES, under which description of development? (ie Nos 1-21)

\_\_\_\_\_

**Schedule 2**

**b** (i) Is the proposed development Schedule 2 development as described in Column 1, Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?

YES  NO

(ii) If YES, under which description of development in Column 1? (ie Nos 1-13)

\_\_\_\_\_

(iii) Is the applicable threshold/criteria in Column 2 exceeded/met?

YES  NO

**c** Is the development within or partly within a 'sensitive area' as defined by Regulation 2 of the Town and Country planning (Environmental Impact Assessment) (England & Wales) Regulations 1999?

YES  NO

If YES, please provide details:

NORTH YORK MOORS NATIONAL PARK

**Screening**

d (i) Have you issued a screening opinion (SO)? YES  NO   
 If YES, please attach a copy of the SO that was placed on the planning register, and any other related correspondence.  Attached

(ii) If YES, did the SO state that the proposed development is EIA development as defined by the EIA Regulations? YES  NO   
 If you decided that the proposed development is not EIA development as defined by the EIA Regulations, please attach brief reasons for your opinion.  Attached

**Environmental Statement (ES)**

e Has the appellant supplied an environmental statement? YES  NO   
 If YES, please supply any related correspondence from statutory consultees and others that you may have had about the adequacy of the environmental information contained in the ES, having regard to The Town and Country Planning (Environmental Impact Assessment) (England & Wales) Regulations 1999 and Circular 2/99.  Attached

**Publicity**

f If applicable, please attach a copy of the site notice and local advertisement published under Article 13 of the DMPO 2010, as required for EIA development.  Attached

20 Have all notifications or consultations under any Act, Order or Departmental Circular, necessary before granting permission, taken place? YES  NO   
 If YES, please attach copies of any comments that you received in response. Attached   
 If NO, please inform the appropriate bodies of the appeal now and ask for any comments to be sent to us within six weeks of the starting date.

21 **Copies of the following documents must, if appropriate, be attached to this questionnaire;** N/A No of docs

a	a copy of the letter with which you notified people about the appeal;	<input checked="" type="checkbox"/>	_____
b	a list of the people you notified and the deadline you gave for their comments to be sent to us; Deadline: _____	<input checked="" type="checkbox"/>	_____
c	all representations received from interested parties about the original application;	<input checked="" type="checkbox"/>	_____
d	the planning officer's report to committee or delegated report on the application and any other relevant documents/minutes;	<input type="checkbox"/>	<u>1</u>
e	any representations received as a result of a DMPO 2010 Article 12 (or Regulation 6) notice;	<input type="checkbox"/>	<u>0</u>
f	extracts from any relevant statutory development plan policies (even if you intend to rely more heavily on the emerging plan). You must include the front page, the title and date of approval/adoption, please give the status of the plan. Copies of the policies should include the relevant supporting text. You must provide this even if the appeal is against non-determination;	<input type="checkbox"/>	<u>2</u>

List of policies: CORE POLICY A & DEVELOPMENT POLICY 12

FOR INFORMATION.

g extracts of any relevant policies which have been 'saved' by way of a Direction.

List of policies: \_\_\_\_\_

h extracts from any supplementary planning guidance, that you consider necessary, together with its status, whether it was the subject of public consultation and consequent modification, whether it was formally adopted and if so, when;

i extracts from any supplementary planning document that you consider necessary, together with the date of its adoption. In the case of emerging documents, please state what stage they have reached;

1

j a comprehensive list of conditions which you consider should be imposed if planning permission is granted. You need not attach this to the other questionnaire papers, but it should reach us within 6 weeks of the starting date. The list must be submitted separately from your appeal statement;

Attached  At 6 weeks

k any other relevant information or correspondence you consider we should know about; COPY OF CASE OFFICER LETTER TO APPLICANT &

No of docs 2

22 For appeals dealt with by written representations only.

WOODLAND OFFICER COMMENTS.

Do you intend to send a 6 week statement about this appeal?

YES  NO

If NO, please attach the following information now (for all appeals, whether refusal or non-determination);

- a a list of the plans submitted with the application;  Attached
- b the relevant planning history;  Attached
- c any supplementary reasons for the decision on the application or what the decision notice would have said;  Attached
- d matters which you want the Inspector to note at the site visit;  Attached
- e how the relevant development plan policies relate to the issues of this appeal;  Attached

23 For the Mayor of London cases only

- a Was it necessary to notify the Mayor of London about the application? YES  NO   
If YES, please attach a copy of that notification.  Attached
- b Did the Mayor of London issue a direction to refuse planning permission? YES  NO   
If YES, please attach a copy of that direction  Attached

Your reference: NUM/2014/0725/AGRP

I confirm that a copy of this questionnaire and any attachments have been sent to the appellant/agent today.

Name: WENDY STRANGEMAN

On behalf of (LPA): North York Moors National Park Authority

Date: 22 July 2015

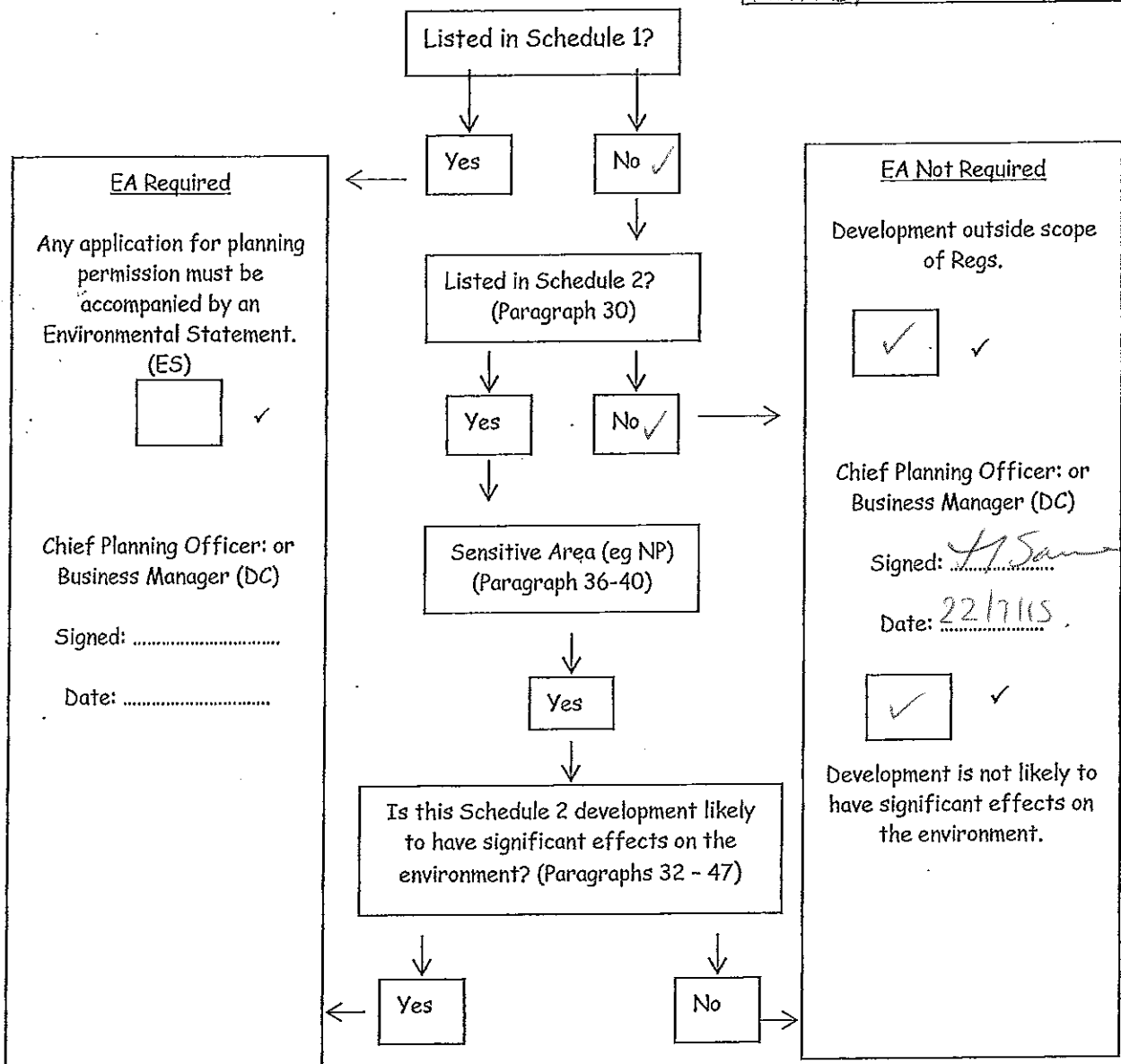
Please tell us of any changes to the information you have given on this form.

**EIA Screening Opinion**

Town and Country Planning (Environmental Impact Assessment)  
 England & Wales Regulations 2011 Screening opinion of the North York Moors National Park  
 Authority as to whether an Environmental Impact assessment is required in respect of the following  
 development.

Application No: NYM/2014/0725/AGRP..... Address:

*LAND NEAR DEMESNE  
 FARM,  
 FYLINGTONTHORPE,  
 WHITBY*



The applicant must be notified within 21 days whether this proposal requires an ES or not  
 (Planning Admin Officer to write)  
 Date applicant was notified : NA..... Signed: .....

Additional Notes: (Include reasons why an EIA is required, these must be set out below and passed to applicant to appeal if they disagree).

**Question 19**  
**Environment Impact Assessment – Screening**  
**Part d (ii)**

It is of the opinion of the Authority that having taken into account the criteria in Schedule 3 to the 2011 Regulations, the development would not be likely to have significant effect on the region by virtue of factors such as its nature, size or location.



Appendix A

List of Planning Applications Determined by the Director of Planning  
for the Period from 24/11/2014 to 23/12/2014  
in the Following Order and then by District:  
Delegated Planning Applications;  
Post Committee Applications;  
on Expiration of Advertisement;  
on Receipt of Amended Plans and Further Observations;  
Approval of Conditions;  
Applications Adjacent to the Park (3024);  
Notifications Under Schedule 2, Part 6/7, of  
The Town & Country Planning (General Permitted Development) Order 1995

NYM/2014/0595/FL	Approved installation of 16 no. solar photovoltaic panels (retrospective) at Forge Cottage/Blacksmiths, Carlton in Cleveland for Mr Robert Ward	22/12/2014
NYM/2014/0677/LB	Granted Listed Building consent for internal alterations including wall and roof insulation works at Holly Tree Cottage, Over Silton for Mr & Mrs John & Joanne Aston	26/11/2014
NYM/2014/0703/FL	Approved alterations to dwelling including raising of roof height together with construction of 3 no. dormer windows and balcony to front elevation and dormer windows to rear elevation (revised scheme to NYM/2014/0067/FL) at Fir-Brook, Great Ayton for Mr Shaun Grainger	03/12/2014
NYM/2014/0705/CU	Approved change of use of part of dwelling to office (Use Class B1) (no external alterations and to remain part of main dwelling) at Old Stores, Coxwold for Mrs Jane Coope	28/11/2014
NYM/2014/0722/FL	Approved erection of general purpose agricultural building at The Laurels, Kilburn Road, Coxwold for Mr Tim Glover	28/11/2014
NYM/2014/0732/FL	Refused construction of 1 no. (eco) dwelling with associated access and landscaping works at land off Quarry Lane, Osmotherley for Mr Stephen Kelly	22/12/2014
NYM/2014/0733/FL	Approved conversion of attached garage/store and subdivision of existing dwelling to form 1 no. unrestricted dwelling and 1 no. Estate workers dwelling/holiday letting cottage at Estate Cottage, Home Farm, Thimbleby for Mr Andrew Shelley	22/12/2014
NYM/2014/0734/FL	Approved use of land for the temporary siting of a residential static caravan for two years at Hall Farm, Carlton in Cleveland for Mr David Marwood	05/12/2014

## Notifications

NYM/2014/0678/AGRP	Approved construction of a new road and turning area for forestry purposes at Taylor Hill, Stape for Forestry Commission	09/12/2014
NYM/2014/0686/AGRP	Refused erection of general purpose agricultural building at High Broomflatt Farm, Raisdale, Chop Gate for Mr Richard Turner	02/12/2014
NYM/2014/0725/AGRP	Refused erection of general purpose agricultural building at land near Demesne Farm, Fylingthorpe for L E & G Hodgson	15/12/2014
NYM/2014/0747/AGRP	Approved erection of agricultural storage building at Hobbrush Farm, Over Silton for Mr David Henry	22/12/2014
NYM/2014/0756/AGRP	Approved erection of general purpose agricultural building (shed A) at Holly Bower, Sproxton for D Russell Ltd	22/12/2014

## Applications Determined by the Director of Planning on Expiry of Advertisement, Receipt of Further Amended Plans and Observations

NYM/2014/0736/FL construction of 1 no. local occupancy dwelling with associated garden area, access and parking at land between No's 21 and 23 Rosedale Lane, Port Mulgrave for Mr Dale Cush

The application has been refused for the following reason:

1. The proposed development by virtue of its scale, design and form has a detrimental impact on the character of the street scene and will detract from the landscape character of this part of the North York Moors National Park. As such the proposed development is considered to fail to accord with the requirements of Development Policy 3 which seeks to maintain and enhance the distinctive character of the National Park.

NYM/2014/0749/FL alterations and construction of two storey rear extension following demolition of existing lean-to at 78 North End, Osmotherley for Mr & Mrs John & Sarah Irwin

The application has been approved with the following informatives added:

1. MISCINF03 The applicant is advised that this permission cannot be implemented until the associated Listed Building consent NYM/2014/0751/LB has been approved by the Local Planning Authority.
2. MISCINF01 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.

# North York Moors National Park Authority



A member of the Association of National Park Authorities

The Old Vicarage, Bondgate, Helmsley, York YO62 5BP

Tel: 01439 772700 Fax: 01439 770691

Email: [general@northyorkmoors.org.uk](mailto:general@northyorkmoors.org.uk) [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)

Planning enquiries email: [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)

Andy Wilson

Chief Executive (National Park Officer)

L E & G Hodgson  
fao: Mr Laurence Hodgson  
Low Farm  
Fylingthorpe  
Whitby  
North Yorkshire  
YO22 4QF

Your ref:

Our ref: NYM/2014/0725/AGRP

Date: 15 DEC 2014

COPY

Dear Sir/Madam

## Notification under Part 6, Class A of the 1995 Town and Country Planning (General Permitted Development) Order 1995 for erection of general purpose agricultural building at land near Demesne Farm, Fylingthorpe

Thank you for your notification under the above Order, which was received at the National Park Office on 21 October 2014.

The above named Authority being the Planning Authority for the purposes of your application has considered the above application for prior approval and has refused permission for the proposed development for the following reason(s):

1. The siting of the proposed building, remote from any neighbouring farmsteads and other buildings would represent sporadic development which would be detrimental to the landscape character and appearance of this part of the National Park. The building would be clearly seen from the adjacent public bridleway and by reason of its isolated nature would have a harmful impact on this landscape which is not characterised by isolated or small groups of buildings.

For Rights of Appeal see overleaf.

Yours faithfully

Mr C M France  
Director of Planning

COPY



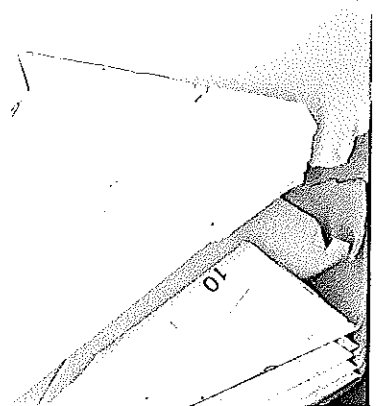
North York Moors  
National Park Authority  
Local Development Framework

Core Strategy and  
Development Policies

Adopted Copy 13<sup>th</sup> November 2008

10/11/08

10/11/08



## Core Policy A – Delivering National Park Purposes and Sustainable Development

The Local Development Framework seeks to further the National Park purposes and duty by encouraging a more sustainable future for the Park and its communities whilst conserving and enhancing the Park's special qualities.

Priority will be given to:

1. 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.
2. Providing for development in locations and of a scale which will support the character and function of individual settlements.
3. Maintaining and enhancing the natural environment and conditions for biodiversity and geodiversity.
4. Conserving and enhancing the landscape, settlement, building features and historic assets of the landscape character areas.
5. Applying the principles of sustainable design and energy use to new development.
6. Enabling the provision of a choice of housing that will meet the needs of local communities in terms of type, tenure and affordability.
7. Strengthening and diversifying the rural economy and providing tourism based opportunities for the understanding and enjoyment of the Park's special qualities.

Enabling access to services, facilities, jobs and technology whilst minimising the environmental impacts of transport.

Applicants should refer to:

- Planning Policy Statement 1 – Delivering Sustainable Communities
- Planning Policy Statement 7 – Sustainable Development in Rural Areas
- Circular 12/96 (for major developments)
- Regional Spatial Strategy – Policies YH2, YH6, RR1

For further reference:

- North York Moors National Park Management Plan

Sustainability Appraisal

*This policy will have a positive contribution towards meeting sustainability objectives through seeking to protect the environment whilst also meeting social and economic objectives.*

- 5.1 The designation of the North York Moors as a National Park reflects the quality of its diverse landscape and spiritual and cultural assets such as the sense of remoteness and tranquillity, distinctive skills, dialects and customs. However, the Park is also home to around 25,000 people whose needs to live, work and access services and facilities must be addressed whilst safeguarding its special qualities.
- 5.2 Sustainable development is an important principle in achieving the National Park's twin purposes of conservation and enjoyment of its special qualities and fostering the social and economic well being of the Park's local communities which is carried out through these purposes. The purposes and duty together with sustainability principles also underpin the objectives in the Management Plan for which the Local Development Framework will seek to deliver the spatial elements. Core Policy A sets out the key principles of achieving sustainable communities in the Park whilst pursuing its purposes and social and economic duty.
- 5.3 The Park is not expected to be a location for major development schemes. Planning Policy Statement 7 and Circular 12/96 set out the considerations that will be applied in assessing proposals for major development in National Parks. There is no precise definition of 'major development' but an indication that it includes proposals raising issues of national significance. The guidance indicates that major development should only take place in exceptional circumstances and where it can be shown to be in the public interest. Examples of development that might be classed as major include mineral workings, waste disposal facilities, larger energy generating schemes, water storage reservoirs, high voltage electricity transmission schemes, large scale military development and larger road schemes.

## Development Policy 12 – Agriculture

Proposals for new agricultural buildings, tracks and structures or extensions to existing buildings will be permitted where:

1. There is a functional need for the building and its scale is commensurate with that need.
2. The building is designed for the purposes of agriculture.
3. 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.
4. A landscaping scheme which reduces the visual impact of the proposal on the wider landscape and is appropriate to the character of the locality is submitted as part of the proposal.

Applicants should refer to:

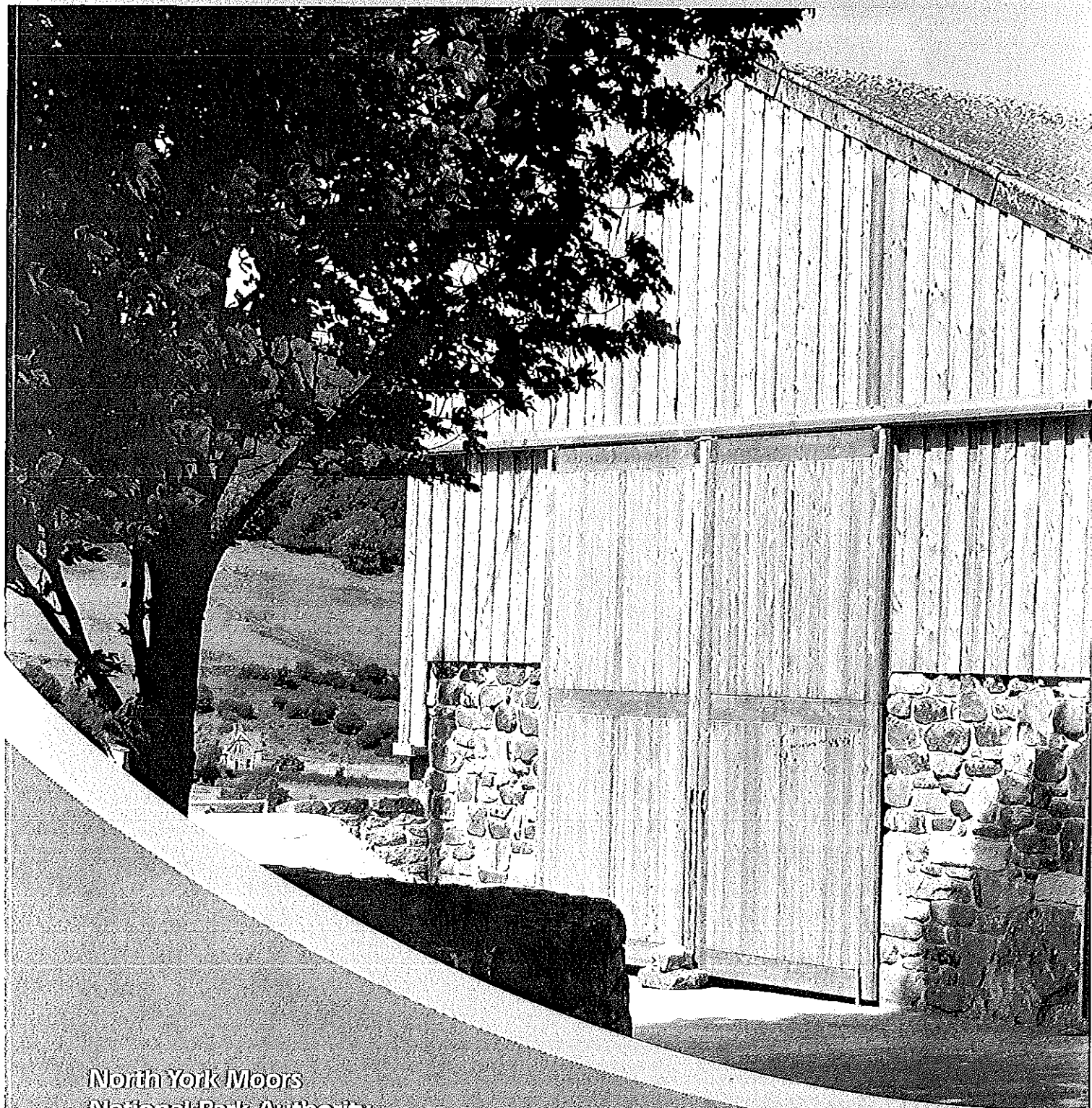
- Planning Policy Statement 7 – Sustainable Development in Rural Areas

- 8.12 The Authority will support development proposals that will enable farm businesses to become more competitive, comply with changing legislation and associated guidance, diversify into new agricultural opportunities and to adapt to changing markets. The best and most versatile agricultural land (defined as land in grades 1,2 and 3A of the Agricultural Land Classification) will be safeguarded.
- 8.13 Under the Town and Country (General Permitted Development) Order 1995 applications for a range of buildings/structures can be made through a system of notification, whereby the Authority is only required to approve the details of a scheme relating to its siting, design and external appearance. In considering applications the Authority must be satisfied that the proposal is designed for the purposes of agriculture in terms of its scale and location and will not have an adverse impact on the character of the wider landscape. Investigation of need or other aspects of the agricultural holding may be undertaken if there is cause to doubt the need test, for example where a building is of a substantial size clarification may be sought over the intended use to ensure that the size is justified.
- 8.14 Applicants will need to demonstrate that very special circumstances exist for proposals for new buildings in isolated locations in the open countryside. These circumstances may arise from requirements to comply with changing legislation or for example the siting of slurry stores, which through planning regulations must be sited away from certain farm buildings. Where proposals are in more isolated locations a landscaping scheme, which reduces the impact of the proposal on the wider landscape will be required. Potential impacts upon the natural environment will also need to be addressed.

Amongst other environmental considerations, proposals that could have an adverse effect on the integrity of a European site would not be in accordance with the Development Plan.

- 8.15 The Authority will consider imposing a condition on appropriate planning permissions requiring the removal of the building if it is no longer needed for agricultural purposes.





North York Moors  
National Park Authority  
Local Development Framework

**Design Guide**  
**Part 5: New Agricultural Buildings**  
**Supplementary Planning Document**



North York Moors  
National Park Authority

## **Design Guide**

**Part 5:**

**New Agricultural Buildings**

**Supplementary Planning Document**

Adopted February 2013

## 3 Design Guidance

It is important for economic reasons that all new farm buildings and other agricultural structures should be properly designed and constructed. A quality building, though perhaps of higher initial costs, will save ongoing maintenance and perhaps even future replacement costs, and should assist in achieving greater productivity.

When planning and designing a new agricultural building, consideration should be given to how this and associated works could help to enhance the appearance of the farm as a whole. The advice below applies equally to extensions as to new buildings.

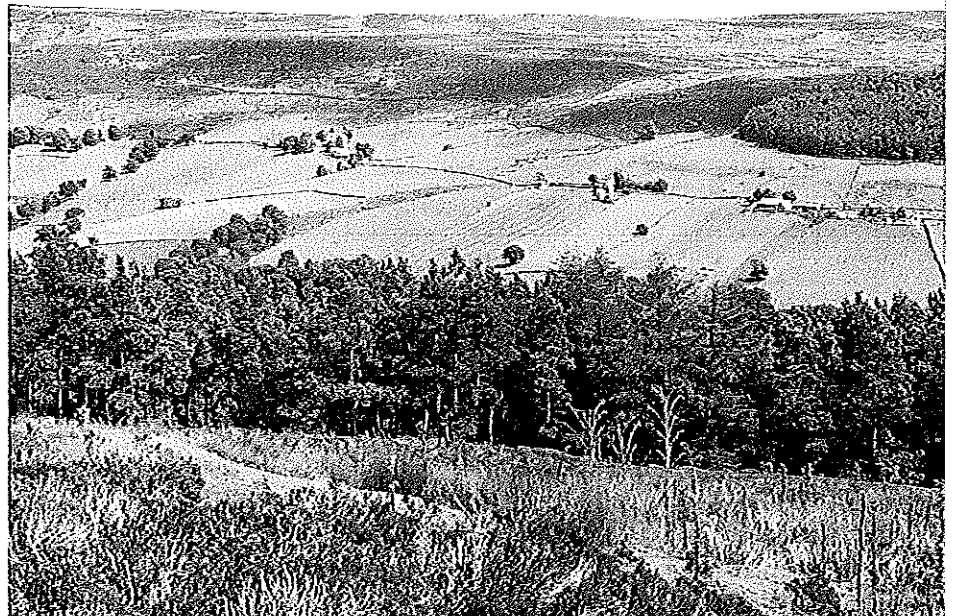
### 3.1 Landscape Character and Setting

The landscape is a complex combination of physical and cultural elements, the character of which has been created over a long period of time and through environmental changes and human intervention. Farming and farm buildings are an integral part of the National Park's landscape and contribute towards its appeal. The National Park's Landscape Character Assessment identifies nine different landscape character types across the Park. The characteristics of these landscapes are set out in Part 1 of the Design Guide: General Principles.

It is important to ensure that development proposals respect their context and are sensitively designed to protect and enhance the intrinsic character and local distinctiveness of the Park's landscape.

Early consideration of the landscape context as part of the design process is essential if development is to successfully integrate with its surroundings. High quality design can enhance both the development itself and the local environment. Considering the landscape early in the design process can also be time saving as a lack of detailed information at the planning application stage can lead to delays.

Consider the appearance and setting of the farm within the wider landscape, and long distance views of the farm



When considering the form, materials and colour of the new building (see below), consideration should be given to maintaining the overall appearance of the farm in the landscape, including the varied and ad hoc appearance of farms as they have developed over time, whilst ensuring that it complements the existing buildings and surroundings.

The construction of a new building may also provide an opportunity to enhance the appearance of an existing farm in the landscape through, for example, screening existing parts of the site from wider view or softening the appearance through the use of landscaping.

There may be instances where higher standards of design may be called for. Proposals for new buildings or extensions within historic villages, prominent open countryside, Conservation Areas or adjacent to a Listed Building will require particular care and attention to detail.

Detailed advice on landscape character and setting can be found in Parts 1 and 3 of the Design Guide.

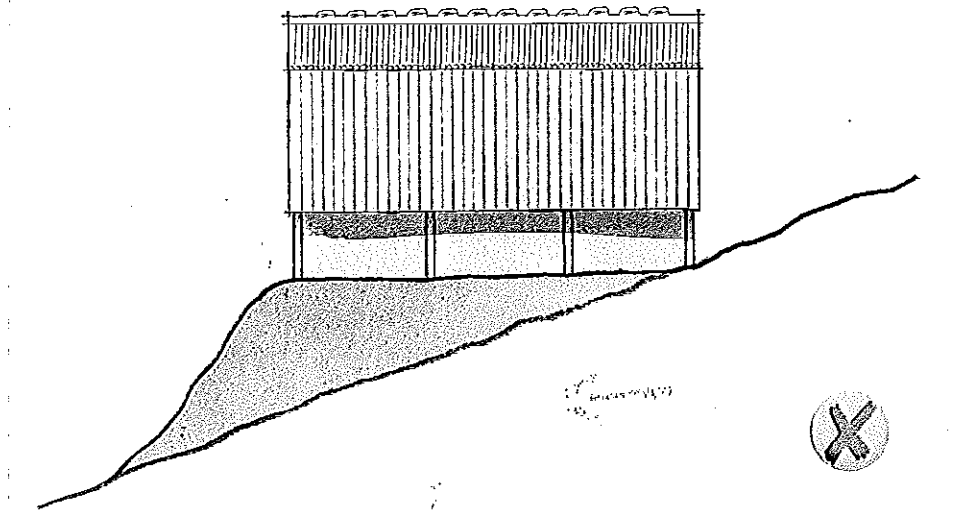
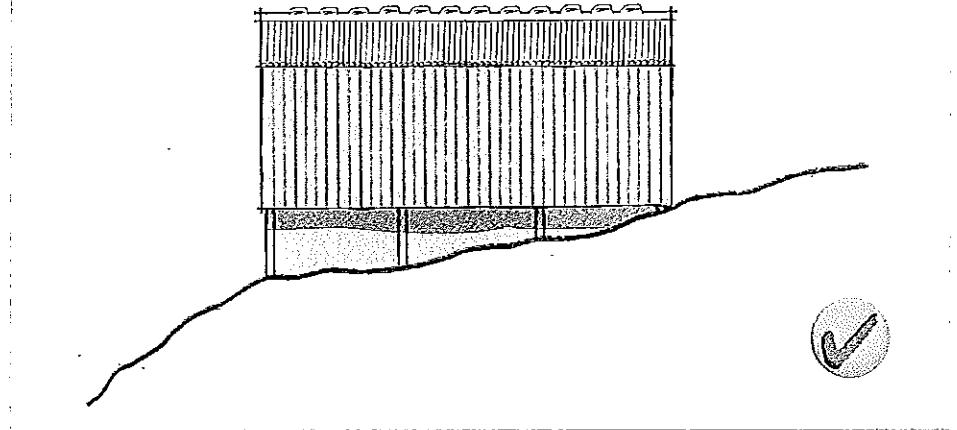
### 3.2 Siting

The position of a new farm building is usually dependent on its function and the space available but as a general rule new buildings should be sited within or adjacent to existing groups of agricultural buildings. No matter how well designed, a poorly sited building can have a significant impact on the landscape. However it is acknowledged that, due to the practicalities of farming, it may not always be possible to site a new building in or around an existing farmstead.

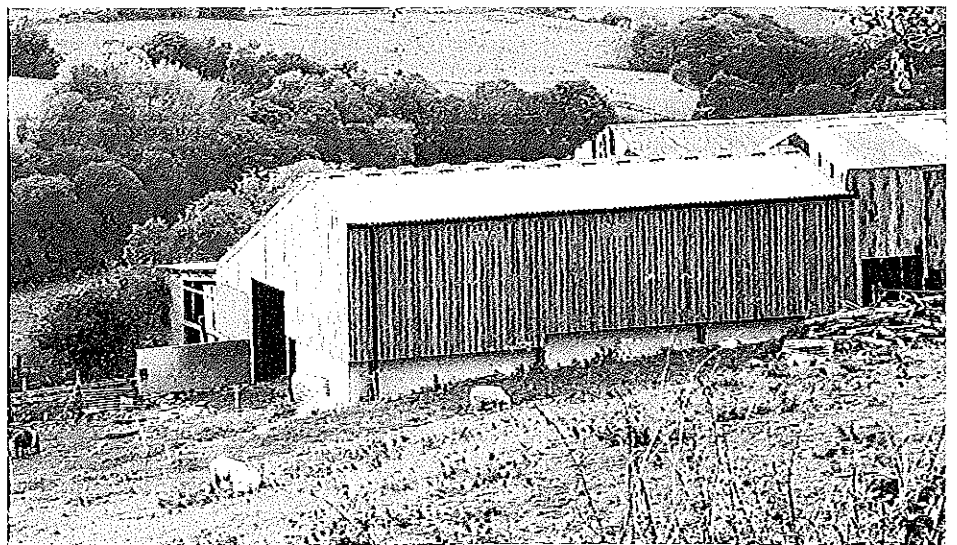
#### Design Guidelines:

- Subject to operational requirements, the impact of a new structure can be reduced by locating it in close proximity to existing buildings within an existing group. Rarely will it be acceptable to locate an isolated free-standing structure within open countryside.
- New buildings should respond to contours and the natural form of the land by fitting into folds or valley bottoms and avoiding platforms or exposed skylines or ridges.
- Buildings located on the crest of a hill are not only more exposed to the elements but are often more visually prominent and intrusive in the landscape. Where it can be demonstrated that such a location is unavoidable the impact of the building can be reduced by siting it below the skyline and by the careful choice of colour for the walls and roof.
- On sloping sites it is generally best to align a building parallel with the contours by setting the building into the slope in preference to raising floor levels.
- Where it is possible to accept different floor levels a building can be stepped down a slope. This can minimise disturbance to the existing land form and reduce its visual impact.
- New buildings should be sited so as to minimise impacts from public vantage points such as highways and rights of way.

Try to set the building into the slope where possible rather than creating a 'platform'. In some cases it may only be possible to partly set into the slope.



This building is aligned with the contours of the sloping site. Using cut and fill helps to minimise the overall height of the building.



Mr L Hodgson  
Low Farm  
Fylingthorpe  
Whitby  
North Yorkshire  
YO22 4QF

Your ref:

Our ref: NYM/2014/0725/AGRP

Date: 25 November 2014

Dear Mr Hodgson

**Erection of General Purpose Agricultural Building on land near Demesne Farm,  
Fylingthorpe**

I refer to the above application which is currently under consideration and has reached the end of its formal three week consultation period.

I regret to inform you that I am of the opinion that the proposal would result in an unacceptable landscape impact in this part of the National Park which is devoid of any structures or buildings. I appreciate that the site would be screened to some degree by existing trees and hedges; however, there is a public bridleway running through the site, from which views of the building would be uninterrupted. I have considered alternative solutions but, due to the isolated position in this protected landscape, I am of the opinion that any form of built development in this location would be unacceptable in landscape terms and I would recommend that the notification is withdrawn.

I understand from your supporting statement that your circumstances will be changing in 2016 and you are planning for this time. I would be happy to have a look at alternative positions and provide you with further advice prior to the submission of a planning application. When considering alternative positions, I would draw your attention to the Authority's planning policies and Part 5 of the Authority's adopted Design Guide relating to new agricultural buildings which advise that new buildings or structures should be (subject to operational requirements) sited within, adjacent or close to existing groups of agricultural buildings. You have provided with this notification details of your current and future livestock numbers and available grazing land. To assist with any future proposals, it would be useful to know where the associated land is and where the residential unit from which the land and livestock will be managed from is.

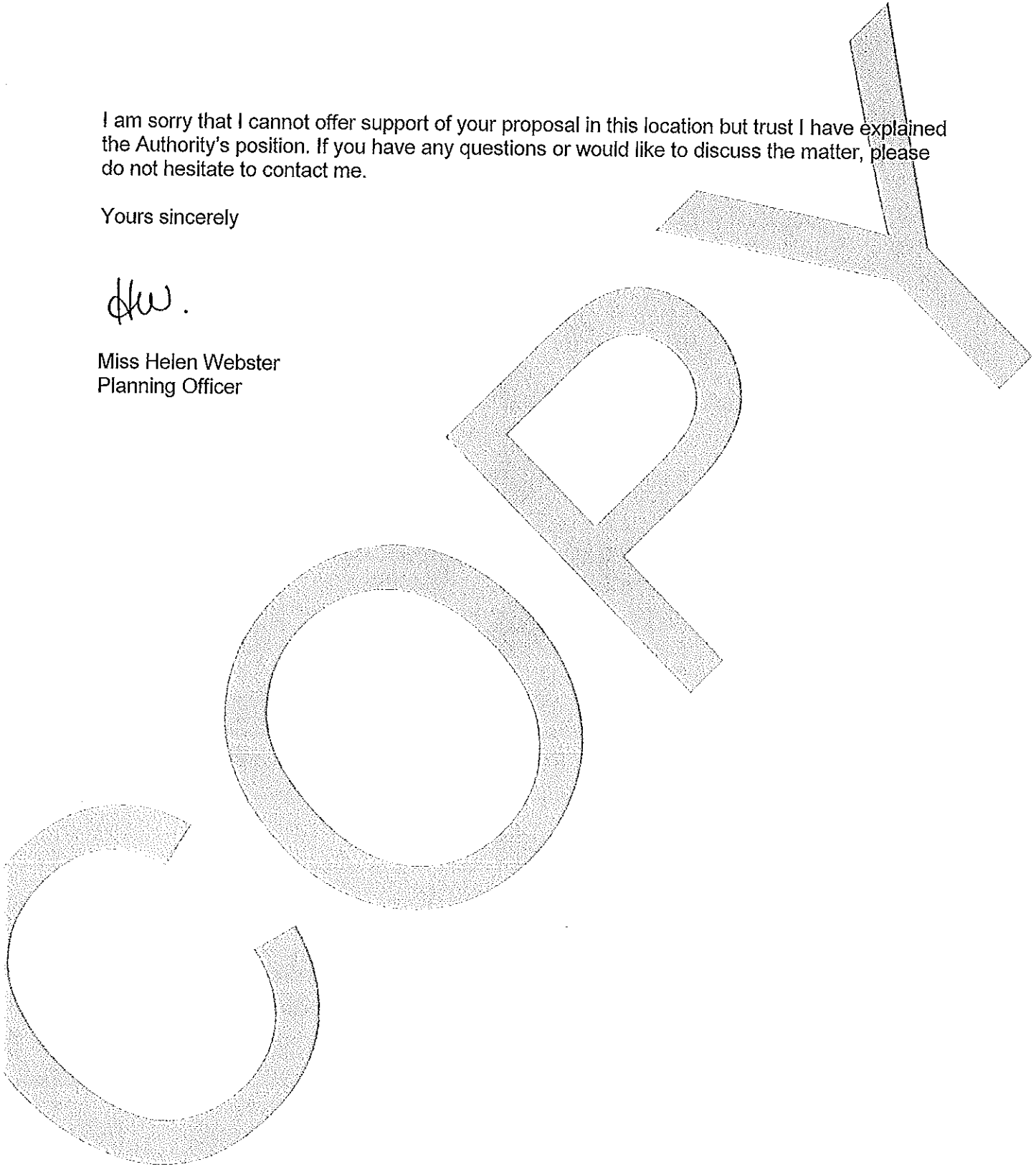
Continued.../

I am sorry that I cannot offer support of your proposal in this location but trust I have explained the Authority's position. If you have any questions or would like to discuss the matter, please do not hesitate to contact me.

Yours sincerely

*HW.*

Miss Helen Webster  
Planning Officer



# North York Moors National Park Authority

Borough: Scarborough Borough Council  
Parish: Fylingdales

Application No. NYM/2014/0725/AGRP

Proposal: Erection of general purpose agricultural building

Location: land near Demesne Farm, Fylingthorpe

Decision Date: 16 December 2014

## Consultations

Site Notice Expiry Date - 20 November 2014.

## Director of Planning's Recommendation

Refusal for the following reason:

1.	The siting of the proposed building, remote from any neighbouring farmsteads and other buildings would represent sporadic development which would be detrimental to the landscape character and appearance of this part of the National Park. The building would be clearly seen from the adjacent public bridleway and by reason of its isolated nature would have a harmful impact on this landscape which is not characterised by isolated or small groups of buildings.
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*MJ.*

15-Dec-2014



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**Application Number: NYM/2014/0725/AGRP**

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**Background**

The application site occupies a remote location to the south of the village of Fylingthorpe. There are some scattered farms in the locality, which are visible from the road and many of which are historic/traditional farm steads with a principle dwelling and range of traditional buildings. The landscape is very undulating and the majority of the land is used for grazing with small pockets of woodland within the dales.

This prior notification proposes the erection of a livestock building for a small herd of cattle. The applicant currently farms from Low Farm which is some distance to the north-east of the site but is due to give up the tenancy in 2016. He has explained to Officers that his intention is to retain a small numbers of sheep and cattle on land he owns, to supplement his income during his retirement. The scaled-down agricultural enterprise would be managed from their address in the village of Fylingthorpe.

The new building is proposed to be sited a significant distance from any neighbouring farms/properties in an open field, bounded on one side by a small woodland. The land is accessed via a track which serves three other properties, including Park Farm; the closest property to the application site. The access track cuts through sloping land and Park Farm is situated on lower ground which makes it relatively unobtrusive in short-distance views but its position on the hillside makes it very prominent in views in the approach from Fylingthorpe. The access track continues to the application site and beyond and is designated as a public bridleway. The building is proposed to occupy a flat area directly in front of the woodland, which is currently used as a feeding area for cattle. The proposed building measures approximately 18metres by 9 metres, 3.6 metres to eaves and 4.9 metres to ridge. The building is required as a safe feeding and handling area for the livestock and in order to reduce the level of poaching of the land by the herd, in accordance with Natural England advice under the Catchment Sensitive Farming Scheme which seeks to improve the water quality in the rivers. The building would have four bays, three of which would be open in the front elevation and the remaining elevations would have 1.2m concrete dwarf walls with Yorkshire Boarding above under a grey fibre cement roof.

**Main Issues**

The main issues to consider are siting and design. The building has certainly been designed for the purposes of agriculture and would be in keeping with existing, modern agricultural buildings in the surrounding area. Although the site benefits from some screening along the northern boundary, the building would be very isolated and the siting of agricultural buildings in remote locations is uncharacteristic for the National Park. Whilst it is acknowledged that the proposed site represents the least harmful site in terms of landscape impact in long distant views; it would be almost indiscernible in views from Fylingthorpe and beyond due to the general topography and woodland cover. However, a public bridleway passes through to the proposed site and as such; the proposed building would be seen by users of the bridleway, reducing the enjoyment of this typically rural and open landscape.

Officers have spent time (on site) discussing with the applicant alternative locations for the proposed building but due to the limited quantity of land within his ownership and the nature of the local topography, no other suitable sites were found. Other sites would have far more significant and detrimental landscape impacts in general views. Despite being in closer proximity to existing farmsteads, the levels would result in the building breaking the skyline.

On the basis that a building in this location is considered to have a significant and adverse landscape impact in views from the bridleway, refusal of the prior notification is recommended.

**Wendy Strangeway**

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**From:** planning@northyorkmoors.org.uk  
**Sent:** 04 November 2014 12:29  
**To:** Planning  
**Subject:** Comments on NYM/2014/0725/AGRP - Case Officer Miss Helen Webster - Received from Conservation Department at North York Moors National Park Authority, The Old Vicarage, Bondgate, Helmsley, YO62 5BP

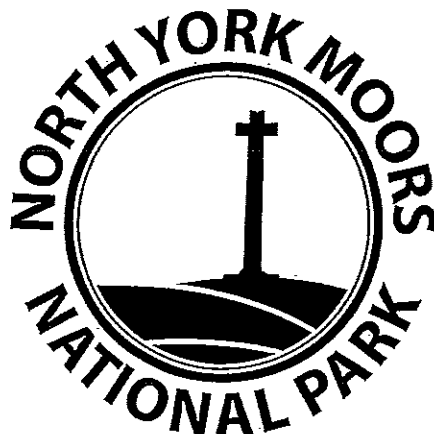
Providing the building is located more that 15m from the trunk or outside the crown spread of any adjacent trees (whichever is the greater) there should be no issues.  
Mark Antcliff, Woodland Officer

Comments made by Conservation Department of North York Moors National Park Authority The Old Vicarage Bondgate Helmsley YO62 5BP  
Phone: 01439 772700  
EMail: [conservation@northyorkmoors.org.uk](mailto:conservation@northyorkmoors.org.uk)  
Preferred Method of Contact is: Email

Comment Type is Comment  
Letter ID: 430861

Comments are confidential.





## Notice of Application for Agricultural Development

### Town and Country Planning (General Permitted Development) Order 1995

**NYM/2014/0725/AGRP**

Proposed development at land near Demesne Farm, Fylingthorpe

**I give notice that L E & G Hodgson**

Is applying to the Local Planning Authority, North York Moors National Park Authority

for prior approval of details for a notification for erection of general purpose agricultural building

Members of the public may inspect the notification including plans and other documents submitted with it at the National Park Offices during normal office hours by appointment or on the Authority's website [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk).

Anyone who wishes to make representations about this notification should write to the Local Planning Authority quoting the reference number. Comments may also be submitted using the online form on the Authority's website. If you have any queries on the notification please contact the National Park Office.

Mr C M France  
Director of Planning  
North York Moors National Park Authority  
The Old Vicarage  
Bondgate  
Helmsley  
York, YO62 5BP

website: [www.northyorkmoors.org.uk](http://www.northyorkmoors.org.uk)  
email: [planning@northyorkmoors.org.uk](mailto:planning@northyorkmoors.org.uk)  
tel: 01439 772700

**Date of Notice:** 30 Oct 2014

This notice may be removed  
21 days after the above date.