

## Members Update Sheet

### Item 1 NYM/2019/0077/FL

**Others: The following have made additional comments in objection to the application:**

**Anita Bennett, Bristol**

**Duncan Cameron, on behalf of members of the Botton Village Family Group, Brighton**

**Neil Shearer, Stokesley**

**Kay Wilson, West Sussex**

**Frank Atkinson, Guisborough**

- Be aware that there are silent objections to the plans which residents dare not raise for fear of upsetting their landlord.
- The submitted LVIA represents fake expertise, it is not correct to say that the impact of the development would be mitigated to a moderate level after 15 years of growth of the new landscaping.
- Each space could be illuminated all night by the suggested approach to lighting in the Planning Statement and thus undermine the dark skies status of the Esk Valley.
- Is a third application an attempt at objector fatigue?
- The manufactured blocks for the retaining wall are not in keeping with rural walls in vicinity.
- A raised footway could be more slippery in icy conditions.
- Will appear more urbanised.
- Increasing number of white vans on road make parking off a single track road more dangerous.
- There are no mother and baby or disabled spaces, This development will not help re-establishing the former Botton camphill cultural life that Esk Valley Camphill Community (EVCC) are striving to achieve.

### **Additional Background Information:**

The applicant has written in to clarify other traffic management initiatives. "As far as 'capturing' cars is concerned, we will be encouraging/directing staff to park in the new car park thereby reducing the amount of traffic around the community. I plan to have someone walking around for the first few weeks after the car park has been installed, armed with some reminder cards that will be left on vehicles that have not used the new car park. I will also be reminding staff through emails/meetings etc of the need to restrict staff parking in other areas. This will be an "education" process initially which might escalate to a 3 strikes and your out type deal. I would like to have appropriate signage at the entrance to the car park to direct staff and visitors to park in the new car park".

### Item 2 NYM/2018/0791/FL

**Yorkshire Wildlife Trust** – The Trust would like to see the restoration of the quarry in accordance with the approved restoration plan and the removal of the buildings, this approach would be the most valuable for wildlife found on the common. More clarity should be sought on the legal validity of the earlier permission given no PINS Enclosure Consent has been granted and the works to keep the permission alive may not be covered by the small scale works exceptions to the need for Consent.

**Additional Background Information** – The agent has written in with additional information, in brief she states that:

- Whilst the chalet policy requires non-permanent buildings, consider that as a quarry building already exists, it could be re-used and consider this would be more sustainable and have less visual damage than the use of a removable timber utility block. Would welcome a discussion on this issue as it our preference to keep it. The damage to the landscape has already been done, this building has been in situ for many years and consider that with suitable rustic cladding of the building, it would conserve and enhance the landscape and scenic beauty of the Park.
- Whilst the site is not within established woodland the site is within an area of woodland which will provide a woodland setting, many of which are over 25 years old. Many trees have been planted elsewhere in the wider quarry as part of the restoration. The site can be managed from existing Estate property, one of which lies within Spaunton village. The estate now owns 1 Catterbridge Cottages at the entrance to the site, managing staff would occupy it. Site has good road access.
- A response to ecology matters raised by the Authority's Ecologist is being prepared by our Ecologist although consider there is no evidence that visitor pressure will have any impact on conservation assets. There is no fundamental objection to extending the existing S106 tying the development to the Estate although feel this development could be approved in its own right without tying to the Estate.

**Additional Background Information** - The agent has sent in additional information regarding the retention of the brick to be circulated to members. In brief it explains that the brick building in the wide photo shot of the site in the report is not the brick building in question and photos of the said building are submitted. It goes on to advise that the case officers description of the building as 'ugly' does not explain how the building can be improved by timber cladding, pantiles and new windows/doors and the ability of the Authority to require its total demolition in future if the use ceases.

#### **OFFICER COMMENT**

The applicants have declined negotiations to omit the retention of the former brick quarry building for re-use as an amenity / meeting centre for people staying at the site. The thrust of Policies Development Policy 14 & 16 is that new chalet and caravan site developments are very well screened and that leave as little a permanent imprint on the landscape as possible and as such the policies seek to minimise the degree of permanency of any associated structures and preference is for re-use of buildings. In respect of re-use of buildings it is envisaged this applies to traditional buildings, not every and any building. The brick building in question is an undistinguished utilitarian former quarry office/weigh-station building in a relatively prominent location which is scheduled for demolition under the approved quarry restoration scheme. If retained, (albeit with new pantiles, timber cladding and new windows & doors) the building would undermine and dilute the appearance and character of the eventual restoration of this former quarry site back to a more natural landscape thus conflicting with the objectives of policies Core Policy A, Development Policy 14 & 16 and creating harm.

**As such the written agenda report recommendation of APPROVAL subject to the applicant agreeing demolition and conditions is WITHDRAWN.**

The recommendation is now for **REFUSAL** for the following reason:

The wider chalet and caravan site proposed development by reason of the retention of the prominent unattractive brick quarry building as a meeting room would have an undermining effect and dilute the character and appearance of the ongoing restoration of this former quarry to a more natural form. As such the proposal would be contrary to the provisions of Core Policy A, Development Policies Development Policy 14 and Development Policy 16 taken together which, amongst things, seek to ensure development conserves and enhances the wider landscape of the Park, special qualities of the Park and avoid damage to the landscape.

#### **Further Information received from Agent**

The agent has written in with additional information. Upon learning of the change to the Director of Planning's recommendation of Approval to Refusal, would ask that Members give consideration to a site visit so as to allow them to assess how the building could be improved to render it appropriate and to also appreciate the associated issues of the : adjacent agricultural application, common land swop, likely future CEMEX request for an amendment to the approved restoration scheme and submissions to be made to the ongoing local plan process on this site.

**Please see separate circulated information received from the Agent regarding the application.**

#### **Item 3 NYM/2017/0717/FL**

**Parish Council** – Wish to reconfirm, full support, without qualification, for the proposed three bedroom, owner occupied development at 10 South End Osmotherley. Unfortunately, due to the changes in membership arising from the elections, coupled with the Easter weekend, we have not been able to provide attendance at the proposed Planning Committee meeting on Thursday 18 April at Helmsley. However, we would not wish that to be taken in anyway, to imply that the parish does not strongly support and welcome the contribution to the community of the addition of a three bed family home in Osmotherley village, rather than an annex or holiday home. This is especially the case, as this development, not only proposes the use of traditional materials in keeping with its location, but also brings back into use buildings that have been unused for decades. In addition, the parish council has received no objections from either of the adjacent neighbours.

**EHO** - 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.

Please see separate circulated information received from the Applicant in support of the application

#### **Item 4 NYM/2017/0722/LB**

Please see separate circulated information received from the Applicant in support of the application

#### **Item 5 NYM/2018/0835/OU**

**Amended recommendation:**

**Approval** subject to the following conditions:

**Parish:** Further comments: An Extraordinary Meeting was held on 4th April 2019 to discuss the above application. Conversations were held between the Cllrs and the applicant with regards to the proposed development of the site. The applicant stated his reasons for his wanting to develop the site as being for the improvement of animal welfare, business viability and site security.

The Council referred to a document submitted by the applicant's agent on 11 March 2019 to NYMNPA. Under point 2.5 potential gross margins for placement of either finishing cattle or 1080 pigs is proposed to support the applicant's farming business and the application for the farmstead. Concern was highlighted over moving the central hub of the farming operation to the outskirts of High Kilburn. The roads surrounding the village are single track and difficult to navigate particularly in wintery conditions and are not capable of taking wider heavy loads as evidenced by the signs to either end of the village. The applicant stated that the B&B pigs were part of a fall back plan only should the land that is currently rented not be leased to him again.

Cllrs were concerned about the future scale of the business and the potential disruption to the peaceful village of High Kilburn. Reference was also made to the impact on access for walkers and on the nearby grade II listed buildings known as Weatherill Barns.

A proposal was made to object to the application on the grounds of the application being inconsistent with NYMNPA's Development Policy 3, and in particular the council made reference to Development Policy 4 points 1 and 2. This objection was unanimously agreed by all Council members present.

### **Additional Background Information regarding Principle of Development**

Additional information has been received from the applicant in the form of a report from Savills along with a letter from the applicants vet and reports from the Fire Service and Police identifying incidents over the years at the farm.

The applicant's vet comments that the overall health and welfare of the stock would benefit if the applicant lived on site so that they could be closely supervised especially during calving and lambing. The Fire Service has attended 2 incidents in the past year and there are 8 reports of theft over the past four years.

The additional report by Savills confirms the focus of the business is adding value to grazing livestock (premium cattle, 'Wagyu' herd) by taking animals through to finishing then niche marketing as much as possible. As the business develops the applicant intends to also niche market the lamb produced from the sheep flock which he has recently changed from Manx Loughton to Suffolk and Texel cross along with a pedigree flock of Bleu de Maine.

It clarifies the land ownership as 69.84 acres with a further 116.81 acres rented giving a total holding size of 186.65 acres. Changes to the sheep breed from the smaller Manx Loughton to larger Suffolk and Texel explain the difference in stock levels, as larger breeds cannot be stocked at such a high rate per acre. It also cites these recent adjustments made to the sheep breed and confusion over the route of the public footpath as reasons why the agricultural shed approved in 2017 has not yet been built but confirms that funding is in place. It also outlines the level of investment that has taken place in machinery and stock over the past 3 years.

The Authority's consultant has advised that this is a relatively new and evolving business so there is a degree of uncertainty and to some extent risk with the application however the additional information received gives a much better impression of the type of business the applicant is trying to develop. Whilst he has no experience of high end markets and

premiums and so has to take the financial figures at face value, he advises that this pastoral high value type of business is more sustainable model of farming which should be supported. Furthermore he is reassured by the levels of investment mentioned in machinery which does indicate a level of profitability or capital to sustain the business.

As such Officers are now satisfied that this is a financially sound, genuine long term agricultural enterprise that can support a dwelling on the site that is reasonably required for the effective management of the business.

## **Item 6            NYM/2018/0310/FL**

### **Highways - comments on revised plans:**

The revised layout mentions a dropped kerbline on the edge of the carriageway. This is to help prevent surface water coming from uphill of the site, running down the carriageway and onto the site whilst been low enough to allow vehicles to drive over it. The kerbline, installed along the boundary between the highway and the site, would channel water along the edge of the road and prevent it from going onto the application site. This kerbline needs to extend from the lower corner of Honey Bee Nest to a point past the existing drive of Holmwood. This would also allow the surface of the upper parking areas to be constructed to drain away from the highway.

The revised lower parking area needs to have a clear visibility splay to meet the current standards and this may require the pruning or removal of the shrubs and plants outside Honey Bee Nest.

Consequently the Local Highway Authority recommends Conditions relating to verge crossings and visibility splays.

### **Please note additional conditions/Informative as follows:**

29. Private Access/Verge Crossings: Construction Requirements
30. Visibility Splays

### **Informative**

5. 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.

**Yorkshire Water** – Revised details – Thank you for re-consulting Yorkshire Water regarding the above proposed development. We have the following additional comments:

Waste water: The drainage details submitted on drawing B099/1/4 (revision C) dated March 2019 are NOT acceptable to Yorkshire Water. Road frontage (ie surface water) should be discharged to soakaway and not the public foul sewer network. For further information, the developer should contact our Developer Services Team (telephone 0345 120 84 82 (option 1), [technical.sewerage@yorkshirewater.co.uk](mailto:technical.sewerage@yorkshirewater.co.uk))

**EHO** – Further Comments – I have read the Site Condition Report produced in 2017 relating to the removal of the USTs. This report was intended only as an appraisal of the soil surrounding the USTs at the time of their removal. The excavated soils were used as back fill for the void left by the USTs and were not remediated. The report concluded that before the site was redeveloped a more widespread site investigation and risk assessment should be conducted therefore my comments are as follows;

- Consideration should be given to potential ground contamination issues due to present/historic activities on this site. I would therefore request that the applicant is required to submit a Phase 2 Intrusive Site Investigation Report before development of the site commences. Reports shall be prepared in accordance with CLR11.
- Development shall not commence until a Phase II Report has been submitted to and approved in writing by the Local Planning Authority. The Phase II Intrusive Site Investigation Report shall be prepared in accordance with CLR11.

The reason for the request is to protect future users of the site from potential harm.

**Ecology** – I have concerns that the new design with additional parking sited well below the proposed building could have impacts on the river below. This revised proposal means the soakaway drains from the PT plant are to be installed very close to trees and within close proximity of Glaisdale Beck. Whilst free draining gravel will certainly be preferable to more hard surfacing, my understanding is that this land is quite steeply sloping and so some provision to prevent excess amounts of gravel being washed down the slope and into the river during rainfall events needs to be considered.

An additional or modified condition may be required as a result of the above comments to secure biodiversity around and downstream of the application site.

### **Additional Background Information**

The applicant has written further information to support the application:

- We have added extra car parking space since the last application in order to better accommodate the overflow of the cafe users.
- There is additional car parking space at Honey Bee Nest for five/six cars.
- The spa is going to be available for residents only, and the residents of the pub next door therefore no extra parking required. I will be the therapist at the spa so will also park at Honey Bee Nest.
- Cafe users - We envisage the majority of the cafe users will be made up of the following and therefore not requiring car parking:
  - Cyclists; road and mountain biking in this area has become enormously popular especially since the Tour de Yorkshire, and the Cycle Hub at Fryup Dale is testimony to the increasing popularity.
  - Walkers; Glaisdale is the penultimate stop for the Coast to Coast walk which is done by many people every year, as well as general walkers to the area all year round. Currently there are very few facilities offering refreshments.
  - Train users; Glaisdale is on the main train line servicing Middlesbrough to Whitby, and the station is yards away from the proposed cafe. Many people frequent the village especially in the summer via the train.
  - School children; there are a lot of school children in Glaisdale who travel by train everyday and walk past here. I strongly feel that having a Cafe en-route for them will provide a safe environment for them to meet with friends to and from school. There used to be a youth club in the village, this is very much missed as a meeting place for young people. My vision is for the cafe to serve as a safe place for them

to meet socially.

- Local community; the cafe would serve as a social hub for local people, many of them live alone and would welcome the opportunity of a place to go for refreshments other than alcoholic. There is a community bus that runs up and down the village so this would ensure good use of its service also.
- As we are the penultimate stop For the Coast 2 Coast walk, I envisage the spa facility will be unique and most welcome after many miles of walking.
- The cafe would use local produce and traders wherever possible thus supporting local businesses which is vital For their existence and success.
- As my Family have been residents of Glaisdale for over 50 years I am passionate about the community and its facilities. I believe that tourism is key to a thriving village and that Glaisdale has much to offer such as the Famous Beggar's Bridge, the moors, walking and cycle tracks as well as stunning scenery. I truly believe that there is scope in Glaisdale for a cafe and that it would greatly enhance the village making it much more attractive to visitors.

#### **Item 7 NYM/2019/0022/FL**

##### **Additional Background Information**

The applicant advises of possible plans to improve the condition of the Drovers Road from Sneck Yate to High Paradise which provide another means of access to the farm. In response the Authority's Senior Ranger has responded that the Ranger Service is developing plans to carry out surface repairs but this is entirely dependent upon gaining grant funding to facilitate this work. An application for a larger project including this element of work will be submitted in early May, with a decision anticipated sometime in the summer. He also comments that the Traffic Regulation Order relating to the Hambleton Drove Road permits motor vehicles to proceed along the road in connection with any wedding or funeral taking place from or at premises fronting that road, i.e. High Paradise Farm, and that for past events the applicant has created a one-way system to avoid congestion on the main access road to the farm, with traffic leaving the site via the Drovers Road.

#### **Item 8 NYM/2018/0730/FL**

**Others – Miss S Richardson, Marian House, West End, Ampleforth** – supports the proposal for the following reasons:

- it will not cause loss of daylight to neighboring properties owing to the high boundary wall and rising land;
- it will be sympathetic to the surrounding buildings;
- the property would benefit from being extended as the present kitchen and third bedroom are small;
- the applicant is a musician and having a speared studio away from the main property would avoid noise disturbance to neighboring properties;
- similar extensions have been carried out on other properties which do impede the open aspect of the village street whereas this proposed extension would not be intrusive.

**Madeleine Forsyth, the Old Post Office, Ampleforth** – Supports the proposal on the grounds that the plans appear to provide an attractive building very much in keeping with the village norm that will not affect the amenity of my property and that will improve the somewhat untidy appearance of the back view of many properties along the lane.

**Elizabeth Fawcett, Mowbray Cottage, West End, Ampleforth** – Supports the proposal on the grounds that it will greatly enhance the property without causing a problem of loss of light to neighbouring properties. It will be similar to other recent developments on the north side of West End.

**Julian and Rosie Allisstone, the Gables, West End, Ampleforth** – Raise further objections on the grounds of loss of light to and over dominance of their terrace and kitchen windows; the scale, size and design of the extension, studio and workshop/summerhouse building which would be out of character; and issues of damp and structural damage as set out in the letter appended to this update sheet, paper copies of which have been provided by the objector to hand out at the meeting.

### **Additional Background Information**

The applicant has responded to the neighbours' concerns regarding the size of the extension, the issues of damp and loss of privacy as set out in the letter appended to this update sheet, paper copies of which have been provided by the applicant to hand out at the meeting. A further statement has been provided in response to the Building Conservation officer's concerns and questions posed by Members at the Committee Site Visits which sets out the need for the accommodation proposed and identifies that in designing the house extension in particular, account was taken of the National Park guidelines for rear extensions to ensure that the size, shape and detailing of the new build would be subservient to the main building. A copy of that statement is also appended to this update sheet, paper copies of which have been provided by the applicant to hand out at the meeting.

Please see separate circulated information received from Julian and Rosie Allisstone in objection to the application.

Please see separate circulated information received from the applicant, Mr Paul Judge in support of the application.

### **Corrections**

Page 6 - Background: The detached outbuilding is not used for additional accommodation but for storage at first floor and a wood working workshop at ground floor.

Page 6 - Principle: This is a sizeable 3 bedroom semidetached property, not a 3/4 bedroom.

## **Item 9 NYM/2019/0021/FL**

### **Additional Background Information regarding Design**

Amended plans have been received from the applicant's agent proposing minor alterations to the plans as previously approved. These include the inclusion of a second conservation rooflight to the front roofslope, the glazing of the existing cart door opening to its full height rather the partially blocking up with stone and the lengthening of the existing window opening to form a glazed door. It is considered that these amendments would not compromise the design of the approved scheme and would maintain the functional form and traditional character of the building.



**Item 10            NYM/2019/0105/FL**

**Parish – Further comments** – As the Parish Council is unable to meet before the Planning Committee Meeting the following comments have been made by individual Parish Councillors but is NOT the view of Loftus Town Council.

- Cllr M Hodgson, Appreciates the amendments to the plans and the creation of the new green space, however, he still has concerns about the new access due to its proximity to the car wash entrance.
- Cllr M Barnes - Has no objections to the amendments have considers the stopping up of the old access addresses the concerns re the loss of the hedge.
- Cllr R Cottle - No further comments.

**Highways** – I refer to the revised plans for the above application and would offer no objections on highway grounds.

**Item 11            NYM/2018/0448/FL**

**Additional Background Information**

The applicant has requested that consideration be given to amending the application to cover either 'holiday letting' or as a 'local occupancy dwelling'.

Julian and Rosie Allisstone

The Gables

West End

Ampleforth

YO62 4DX

8-04-19

Application Ref NYM/2018/0730/FL



Sycamore Cottage, Ampleforth

Sycamore Cottage is a semi-detached house which is linked to our house, The Gables. We have some significant objections to the proposed works.

Design and Access Statement and Draft Local Plan: The overall projection of the proposed extensions are considerably greater than the norm. It is not, as suggested in the submitted Design and Access Statement "in keeping with the general pattern of extensions built on the rear of houses in this part of the village". Policy CO18 of the Draft Local Plan is clear that developments should "not adversely affect the residential amenity of neighbouring occupiers". The proposals currently submitted for Sycamore Cottage would entirely remove the little amenity currently enjoyed in our property to the west, The Gables. Moreover, by virtue of the elevated Cottage extension and Studio proposed, we would also be at risk of losing the amenity we ought reasonably to be allowed to enjoy within our private, internal accommodation.

#### Cottage Extension

Light: the extension proposed will have a major impact on our living space outside. The terrace to the north of our house was built in the 1960s and is a well-established terrace comprising of very old York stone. It is easily accessible from the kitchen and is the only level area in our entire garden. This space is where we spend the summer, it is our 'outdoor room'. We have enjoyed many happy times on this patio since we arrived at The Gables fifteen years ago.

Although it faces north and lies in the shadow of the semi-detached properties, from spring to late autumn the terrace benefits from easterly sunshine. There is a gap between Sycamore's semi-detached building and Sycamore's outbuilding of roughly ten metres, which provides our only aspect of 'open sky'. This enables a valuable source of light to shine directly on the terrace from early morning in the summer to about mid-afternoon. To the south we are blocked by our own and our neighbour's property, to the west we are blocked by terraced housing that runs up our western boundary, which means we don't have south-facing or westerly sun/light. We are therefore only able to enjoy sunshine from the east, and mainly in the morning. Our fig tree planted up against the east wall has its leaves and fruit turned to the east, proving that this is our main source of light.

The building of the double storey, followed by the single storey extension, will block this valuable source of light as it is against our east wall and its height will dominate our terrace. According to the proposed plan the house wall will finish where Mr Judge has built a log shed against our east wall. There is then three metres before the proposed studio is built against the outbuilding. Therefore, what was an open space of approximately ten metres with low sloping roof lines to our east will become a 'boxed in' area - we would be shut in to the east (the proposed extension and proposed studio), to the north (our property) and to the west (the row of terraced cottages). In other words, where there was at least 'open sky' to the east with a slight view, there would be structural building walls and a much higher, more dominant roof-line to the south-east. At the moment, the roof-line is concurrent with both properties, but the proposed extension will create a much higher roofing area, which will block out south-east light.

As mentioned, we have a wall-trained fig tree against this east wall, which we have allowed to grow over the height of the wall, to disguise the shed that was erected on our boundary wall two years ago, but at any time this can be re-trained and cut back. The same cannot be said for an extension the size of that planned next door.

Our house lies at the bottom of a fairly steep hill and you may well appreciate how wet a north facing, hill-facing area can be. Directly outside our house is a mini yard which we use to store coal, bins etc. This area usually dries out with the summer sun, but should the double storey be built, this area is going to remain wet and difficult to clean. We usually remove the fungus and moss that grows here during the summer when it is dry. This is going to be extremely damp all year round if the extension goes forward.

**Light and kitchen window:** In addition, the double and single storey extension will block significant light to the kitchen window which is adjacent to the boundary wall, overlooking the mini yard. In particular, the height of the double storey extension will begin one metre away from our kitchen window and extend one metre outwards before beginning to slope. The

kitchen window already has reduced light due to the high raised wall in front of it which is one metre away. Internally, and directly underneath this window is our main kitchen counter. Here we have our oven, kettle and this is where we do all our food preparations – work, as you will appreciate involving safety hazards, such as the use of kitchen knives, boiling water, hot pans etc. This area is already dimly lit, but there is currently enough light informing this space for us and our children to safely use our kitchen utilities. Our daughter, aged thirteen, regularly bakes cakes at this counter and enjoys her own cooking experiments. We feel that the extension, particularly the double storey structure is so close to this kitchen window that it will further shadow and block much of the light we currently have access to. Once the extension is built the loss of light will be irretrievable.

Our far kitchen window, which is much bigger, is not where our main preparation of food occurs – it is the back entrance to our property and acts more as a lobby. Our kitchen counter, where we prepare and organise our meals, does not benefit from light from this further kitchen window. This is because there is a right-angled mini wall that separates the two areas of our kitchen, which means light from the far kitchen window does not reach the area under the smaller window where we prepare food.

**Aesthetics:** The extensions in the past along the back of these cottages visible from our terrace have been flush with the neighbouring walls. We concur with the Building Officer's comment (which Mrs Bastow made reference to during the recent site visit of 5 April) that it would be preferable if the double storey extension were flush with the current gable ends of both properties. There has been nothing anywhere near the size of this extension along our row of semi-detached and terraced cottages and it feels completely out of character. The extension of Sycamore Cottage will be almost double the footprint of the original house. The view from across the road is roughly where Kirks café enjoys a view of the treeline above Sycamore. The erection of a large extension plus a 5 by 5 metre summer house and workshop in a Conservation Area, roughly the size of a double garage, is of concern. The proposed build, sited on a downward slope, may also have an impact upon water run off from Sycamore onto the street, let alone The Gables.

We feel that this increase in size would be highly inappropriate for a semi-detached cottage and particularly for a cottage that already has three floors. Contrary to the design statement, having been shown round Sycamore Cottage many years ago, we are aware it has three usable storeys, the upper storey being spacious – far more so than our own third floor attic space, which is too low height-wise for adults to use. Mrs Bastow made reference to the need of our neighbours to have a double storey extension a metre beyond where both properties currently end. This is to provide space for a dressing room and an ensuite bathroom.

We are a family of four who do not have the same upper storey, third floor space which our neighbours enjoy, and we take issue with the reasoning that a master bedroom with dressing room and ensuite bathroom is a priority over our own access to light.

While we understand the need for our neighbours to update and improve their dwelling, especially their kitchen, it is already a four-bedroomed cottage with ample space on the top floor. In addition, there is considerable extra space in the substantial outbuilding which, as mentioned before, is another two-storey building. This outbuilding is quite a large barn conversion which we understood at the time of conversion, already serves as a studio and workshop and has ample room for any extra accommodation.

**Damp:** The Gables was built in 1745. It is an old building and therefore has idiosyncrasies that modern houses don't have. For example, Sycamore Cottage is built 0.8 metres above The Gables. Like many old properties that lie at the bottom of a hill, it is susceptible to damp issues, particularly due to the difference in height between the two buildings. When the Judges had an oil tank next to our kitchen wall, our downstairs loo adjacent to the kitchen flooded every time it rained. This was despite it being plastered with cellar basement plastering, which is meant to be water resistant. The part of the kitchen adjacent to the toilet, also suffered from wet. Since the oil tank has been removed, however, both areas have been completely dry and we have had no more flooding.

We are certain that should Sycamore Cottage extend along the boundary of The Gables, we will have a return to the damp problem and potential flooding in the downstairs loo and throughout the length of the kitchen. As our kitchen is a fitted one, there is very little aeration behind the cabinets and therefore these areas remain damp. We have already had damage to the kitchen cabinets on the floor adjacent to the toilet due to flooding and lack of aeration. The wooden footings of the cabinets have partially rotted and need replacing.

Should the extension be built we have strong concerns that this problem will return right the way along the kitchen wall and we are genuinely concerned about fungal growth and mould, which occurs with prolonged dampness. The 'smell' of mould and damp is uncomfortable, and possibly even causes allergies. It is likely, in our opinion, therefore, that the extension would create an unhealthy environment, potentially affecting the health of our family and once again become a worrying and tiresome nuisance as anyone who has regular flooding in their house can testify.

**Structural issues:** We are equally concerned about structural damage which could occur during the excavation process. There may be cracks or fissures or slippage in footings that could arise following the building work, either at the time of drilling and building, or at some point in the

future. Unlike many other semi-detached properties, our foundations are old and not built on the same level. In order to dig down to the foundations of Sycamore Cottage, the drilling would have to take place down a significant section of our kitchen wall, which is below the level of our neighbour's property. There is every possibility that the vibrations could cause shifting in our below-ground wall. It could lead to a real lack of stability and an increase in water movement.

In addition, we know that our house has no foundations. We know this because we had to excavate our yard to address a water issue. The property is unshored and unpinned and therefore liable to be far less stable despite the thickness of the walls than other properties with better foundations. Although we would expect a structural surveyor to be involved during the process, we have no guarantee that our neighbours would take responsibility for any damage caused, either at the time or in the future.

**Boundary access:** We also have concerns over the ability to access the garden wall which runs at right angles opposite the kitchen wall to the outbuilding. The new extension would be too close to the garden wall for us to properly repair it and access it on both sides. Not only that, but if the extension were to be built, we would be unable to access our own outside kitchen wall because of the wall built right next to it.

**Summary:** The building of this extension would compromise and affect our amenities and well-being, internally and externally. Internally, it would increase our level of damp within the kitchen, potentially causing electrical hazards and providing a damp environment for mould/fungi to fester, which is unhealthy for us and our children. It could cause structural damage to our kitchen wall and undermine the uncertain footings of the property.

Both internally, within the kitchen, and externally, the extension would diminish our light significantly. This reduction of east sunshine which we currently enjoy and the physical presence of a double-storey building right next to our boundary, would over-shadow us. Such a big extension, greatly increasing the size of the original dwelling, cannot be unbuilt and reversed. It is an unacceptably large extension, coupled with the planned studio. Together with the outbuilding, this extension will reduce our only east-facing source of light and add to the number of walls and built-up space already surrounding us. We do not believe that this increase in buildings is appropriate in a village setting in a conservation area, nor do we feel that the double extension with dressing room and ensuite bathroom has priority over our access to light, particularly in our kitchen, where it is most needed.

## Summerhouse/Workshop

Some years ago, a near neighbour was given permission to build a four metre high cabin/workshop/summerhouse at the top of his garden. The size and height of this cabin is similar to the one proposed here. Following the construction, the next-door neighbour was so dismayed by the visual impact of the summerhouse, that she sold up and left. This cabin can be seen from most of the surrounding gardens and it remains a physical eyesore. The issue with building big structures in this area is that they tend to be sited high up. This means that they not only block the view of the woodland that runs along the ridge, but they feel so much more dominant because they are higher up.

We want to object to yet another big structure going up in our neighbour's garden. We already know what a physical obstruction it will be and how much it will interrupt and block our view - the beauty of the woodland backdrop. Though we can understand why our neighbours may want to enjoy the view of the village from the elevated position, we feel it is inappropriate for its size, making it a dominant landmark especially from the road. Our neighbours already have a double French door on the upper storey of their outbuilding, which looks directly up our garden as it is sited slightly over the mutual boundary on our side. We feel this is another structure our neighbours want to build, having just built a substantial 2.85 square metre shed in the same area as the proposed summerhouse and against our side. We have made no complaint about the construction of this shed because they have every right to put a shed where they like. However, this additional imposing building would be a real eyesore and devalue the natural backdrop of woodland in a conservation area, which is enjoyed throughout the year, in winter as in summer.

We understood from Mr Judge at the time he was converting the outbuilding, that the two-storey outbuilding would be the studio and workshop for himself and his partner. We are therefore puzzled as to why they need another workshop and studio. It is, of course, no business of ours, except the amount of conversions and structures they have undertaken and further propose with this submission has a negative visual impact on us and our enjoyment of our garden. We have made every endeavour to shield our garden's privacy with trees, but feel exposed. We are particularly sensitive to our privacy because we have children and over the years our privacy has decreased as our garden has become more overlooked on all sides.

**AGENDA ITEM 8: FOR CIRCULATION TO COMMITTEE****Supporting Statement for NYM/2018/0730/FL Sycamore Cottage, Ampleforth.**

Dear Jill Bastow,

I am writing in response to the comments from the Building and Conservation Team, and to the questions posed by some members of the committee as to our needs for the requested development.

We have been told Sycamore Cottage is now to be considered a Non-Designated Heritage Asset. This would seem to be a disadvantage to us, in requiring a higher standard of scrutiny, but I like to think this reflects not just the nature of the building, but also the care and sensitivity with which we have conducted repairs over many years. We have undertaken a long programme of repairs and improvements to the house, outbuildings, and garden since buying the house.

When I bought the property 25 years ago, the house had been empty for 3 years; it was in a very sorry state, and the garden was very overgrown. To make it habitable I had to renew the roof, install an injected damp-proof course, take up and replace all the downstairs floors, adding damp courses and insulation, and replace all the plumbing and electrics. In subsequent years we installed oil-fired central heating, and added a staircase to the loft (all wood), so that it could be used for storage, using conservation roof lights at the front to preserve the heritage appearance. (The loft is not suitable for use as a bedroom because there is no provision for a fire escape, and it can be extremely cold in winter, and unbearably hot in the summer.) We also replaced the fully-glazed front door with a more appropriate semi-glazed wooden door. We chose to retain and renovate the existing wooden windows, rather than replacing with modern double-glazed plastic units that are cunningly designed to look like wood, which we have witnessed being installed in some neighbouring properties in the last three years.

We chose to repair the outbuilding before applying to enlarge the kitchen, because it was in danger of falling down. There was a large crack in the gable, and the roof timbers, stairs and wooden floor were all rotten. In renovating this, we again chose to use all-wooden windows and doors, in an appropriate style. The outbuilding now has lighting, but no heating or water supply, and the electric supply is from aging overhead cables which will only support a couple of electric items being used at once. This building is now used for storage upstairs, and downstairs is a workshop (my hobby is woodworking with hand tools).

We also chose to create a large parking area at foot of the lawn, because parking has been an increasing problem on the main street.

I have lived here 25 years, my partner Laraine 20 years, and we both love this house, our large garden, and the village. We have made this our home, and we never want to move again. The considerable works we have undertaken so far have not required planning consent. Obviously, we have had a long time to carefully consider our needs before making this planning application as we wanted to get it right, and we feel that we have; the development we are asking for permission to build reflects our current and future identified needs.



As to our needs:

Firstly, our work. We are both self-employed in the creative industries, myself as a musician and Laraine as an artist, and we both teach our craft. As a performer I have a number of instruments, amplification equipment and accessories, in addition to recorded and written music. As an artist and art tutor Laraine has plan chests, drawing boards, easels, paper, canvases, and a multitude of drawing and painting materials for use by herself and her students. In addition, we both have a wealth of books, research and teaching materials for our respective subjects. All these require storage space. We also need office space to conduct our separate businesses, and potentially teaching space if we are to teach individuals (1:1) from our home.

Laraine teaches art for a charitable trust near Ripon, in adult education, and regularly runs workshops in local village halls, and for Art Societies throughout the County. She has regular enquiries about teaching 1:1, but has been unable to do this from home because of lack of studio space. The new studio will replace the ramshackle wooden shed, with its asbestos roof, which is long past its useful life, and will provide Laraine with a specialised art space, with plenty of natural light, and space to teach 1:1.

I teach guitar in various schools in the county, and at York St John University, as well as to some private students. I am intending to scale down my teaching in schools, to reduce the amount of travelling I do for work, and hopefully to do more teaching from home. I feel it is inappropriate to teach individual youngsters in an upstairs bedroom, so when I teach private students, I do so in the living room, which is inconvenient. I would like to convert the downstairs of the outbuilding into a teaching room/studio space, and move my woodworking from there to the new timber summerhouse/workshop building.

Incidentally, most parents drop their children off, and return for them at the end of the lesson. We like to direct them to our local café (Kirks, opposite) or either of the 2 village pubs depending on the time of day, thereby supporting local businesses.

One further point: the nature of our businesses means we can work well into and beyond standard retirement age, which we intend to do as we both enjoy our occupations.

Secondly, more personal factors. Our bedroom faces onto the main street, and the window is level with chimneys on the other side of the road. Laraine is a light sleeper, and is also very sensitive to the wood-smoke that drifts into our front bedroom from the various wood-burners on the main street, and to the fumes from traffic and particularly the many heavy goods vehicles. (She regularly wakes with sore eyes and sore throat from this pollution). It is impossible to create a double bedroom at the rear by re-configuring the existing layout of rooms, (which are small compared to the footprint of the building due to the thickness of the external walls). Consequently, we are wanting a double bedroom at the rear of the house.

Thirdly, as I indicated earlier, we never want to move house, so we have to consider the possibility of one or both of us becoming less mobile in the future. Having just one upstairs toilet has caused problems in the past when my elderly mother stayed with us, and more recently when Laraine had a leg injury. Therefore, looking to the future, we want an ensuite bathroom in the bedroom, and most importantly, a downstairs toilet, with the potential to install a shower.

Having a very small kitchen has always caused issues, and we now would like to upgrade this to a modern kitchen-dining room suitable for today's living standards. The amended 2 storey extension design in our application would answer these various needs.

As to the planned extension:

In designing the house extension, we took account of the guidelines from the National Park, that the size, shape and detailing of the new build should be subservient to the main building, that it be set in from the corner, and with the ridge lower than the main house.

- The gable of the main house measures 8.5 metres, the 2-storey extension at 4 metres is less than half of this. The total length with the single storey addition at 6 metres is less than three-quarters. In addition, the visual impact is reduced because it will be partially set in to the rising slope of the garden.
- When viewed on the plan, the rear ridge appears to exaggerate the length of the extension. However, this view will not be seen from the road despite the wide angle of view afforded by Prospect House being set back.
- The windows of the extension have all been designed to be smaller than those of the main house.
- The view to the tree line beyond our property is unaffected by all our planned development.

9<sup>th</sup> April 2019

Paul Judge  
Sycamore Cottage  
West End  
Ampleforth  
York  
YO62 4DX

Paul Judge  
Sycamore Cottage, West End  
Ampleforth  
York  
YO62 4DX

15 April 2019

**Application Ref NYM/2018/0730/FL**

**Response to Mr & Mrs Allistones' letter of 12 April 2019**

I do not intend to make a further rebuttal to all the Allistones' objections, as most have been raised before in their previous letters, to which we have responded. Instead, I wish to focus on 3 main points.

Size:

The new rear extension will add 40% to the footprint of the house, not "double the size".

Dampness and impact of building on the Allistones' kitchen:

The Gables kitchen/bathroom extension wall is currently exposed to the elements, and rainwater is channelled to a drain running underneath the Allistones' property. The planned 2 storey extension will build alongside this wall, and will have flashings along the top to prevent water falling between, thus having beneficial effects regarding insulation and protection from moisture. All drainage will be re-routed to the drive side of our property.

We will of course consult specialists regarding the damp proofing, to ensure there is no possibility of bridging the damp course, and all aspects of this part of the building work will be covered by a party wall agreement, which we will take out in preparation for work to commence. All these points were made by the Allistones' own surveyor in his 'Clarification of Boundary' report, of which we have a copy supplied by the Allistones.

Privacy:

The Allistones bought the Gables in the full knowledge that the house and garden have 5 different neighbours with the potential for overlooking, due to the staggered layout of houses and gardens in Mowbray Terrace. Since moving in, they have constantly referred to their privacy, and respecting this we maintain an 8ft hedge between our gardens, despite its limiting effect on our afternoon and evening sunshine. We currently have direct views into their patio area from our rear upstairs windows, and from our rear terrace area, which is above the level of their patio, and has a chest-high boundary wall.

The proposed new extension will have no western windows, the oblique angle of view from the new long bedroom windows will give a much-reduced field of view of their patio, (if any, as we will not be able to stand outside the windows), and our new sunken terrace will offer no line of sight to their patio. In relation to the studio, at present there is virtually no view into their windows from this point, due to their recent rear extension; the new studio floor level will be at least 18 inches lower than the current ramshackle shed, further reducing any risk of overlooking.

Further up the garden, there is one point where the hedge is lower (approx. 5 ft), never having recovered from snow-damage some years ago; the new timber summerhouse will have its western wall (no windows) alongside the hedge at his point, thus again improving their privacy.

Paul Judge  
15 April 2019

## COMMENTS ON THE COMMITTEE REPORT FOR THE PROPOSED LEISURE USE AT SPAUNTON QUARRY PLANNING APPLICATION: NYM/2018/0791/FL

On behalf of the Spaunton Estate, we request that this letter is emailed to Members in advance of the planning committee and read when the application is considered by Members of the Authority in their determination of the planning application.

- The recommendation to grant planning permission for the proposed leisure use is welcome.
  - There are however issues within the report which are incorrect and which we hereby seek to bring to your attention.
  - The photograph contained within the report is wrong. The photograph does not show the site for the leisure use (except partly in the far distance) nor the building which is proposed to be retained.
  - The building to be retained is a solid structure which was formerly used as an office for the mineral operations at the site and public weighbridge.
  - Figures 1-5 overleaf show the building in question which is proposed to be used as a reception / site manager's office / communal facility (including the provision of loos and showers).
  - It is a single storey building that is well screened on the west side by existing tree and shrub growth which provides a natural backdrop when viewed from the east. Demolition of the building will compromise this screening.
  - The building already has the benefit of all services: mains electric, water (mains and borehole available on site) and telephone service. It has a large septic tank which services this building and the canteen / staff welfare building opposite which would be demolished as part of the final stages of implementing the Master Restoration Plan for the quarry and in order to implement this scheme / new use.
-

Village & Design Statement View 22: South Aspect-Cartwright Lane



Village & Design Statement View 17: West Aspect-Applegarth Path- R of Way



Village & Design Statement View 19: South End walking North with No 10 set back out of view until within 2 houses



View along South End walking South with No 10's outbuildings set back from road and obscured by No 8 until corner turned and look round at 90°



North Aspect 10 South End – Looking to left from footway into corner



South Aspect 10 South End -Looking from South within Garden



Item 3 & 4

NYM/2017/0717/FL &  
NYM/2017/0722/LB

View of access to No8 outbldng from No 8 back garden



View of Cart house Wall External West Elevation



Cracks in external wall – West aspect of Cart



Pre 1907 South End Osmotherley



Pre 1914 photo showing Historic hard standing to front of No 10



Osmotherley Listed Building - example of raising outbuildings in height



### Non Historic Fabric

The majority of the outbuilding roofs are not Historic fabric. All of the outbuilding roofs including the pigsty, along with that of the Kitchen extension to the main dwelling, had their structural timbers replaced circa 1985 together with new felt and 95% replacement pantiles. Unfortunately the previous shortfall in the structural timbers and designs were not addressed, resulting in continuing eaves spread. The front outbuilding - stable, had the felt and pantiles replaced together with new timbers but also has some existing timber in use in the current structure. This building is not in its original form, which used to run the full depth of the house at a lower level and this can be seen in the change in stone work type and the remaining structure stonework nibs, aligning with the southern external wall to the carhouse. This wall is being rebuilt.\*

*Other non historic fabric or elements that were replaced in 1985 included:*

The Cart House doors to the north elevation – *require repair as too heavy for hinges, frame and lintel rotting.*

All of the south facing windows to the main dwelling - *now requiring to be replaced*

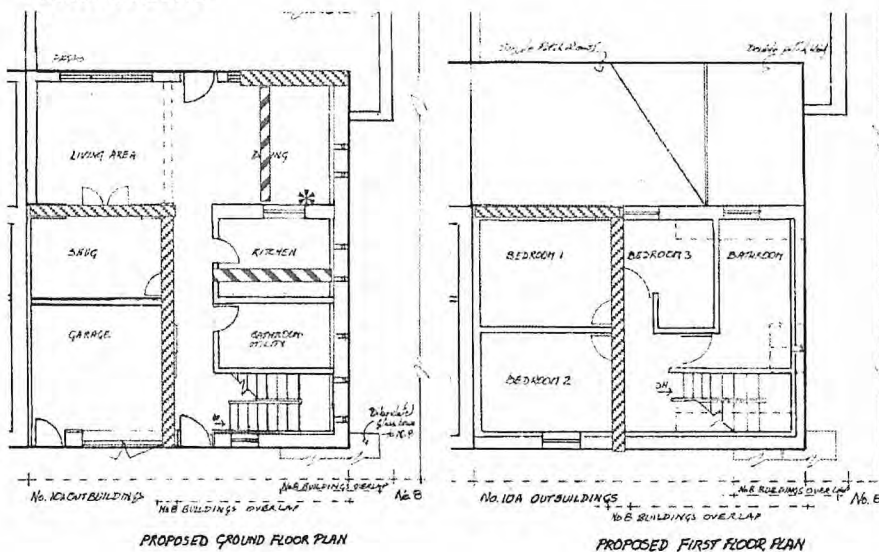
Door frames to front and back – *require further repairs*

Front windows - timberwork repaired, new sills, sashcords and fasteners - *now requiring to be replaced.*

Downpipes and gutters replaced – *now require to be replaced again.*

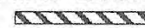
18

### Historic Fabric

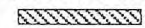


#### KEY- Historic Fabric Alterations

Minor Extent of wall Demolition



Take down structurally unsound walls and rebuild for loadbearing structural integrity.



Remaining external walls to be stitched and repaired with stonework to match as necessary.

New external walls and extensions to be in stone work to match.

### EXTENT OF DEMOLITION, ALTERATION, REMODELLING AND EXTENSION

The extent of demolition of historic fabric, without rebuild is minimal as can be seen above - relating to two short lengths of wall, shown in broad hatch. This is to avoid steralising space to allow maximum use of internal space .

The main remaining area where two internal loadbearing walls require to be taken down due to their loss of structural integrity to such an extent that the building cannot be used for occupation, the walls are replaced and rebuilt in the same location such as to be structurally loadbearing. It is not felt this should be classified as substantial demolition.

The roofs, including the timber framework, to the outbuildings were predominantly replaced in 1985 and as such do not constitute historic fabric albeit that some of the timbers in the front outbuilding appear to have been original timbers even though the roof itself as been the subject of extensive change and raising to from a traditional dual pitched roof. Their replacement with structurally sound designed framework and timber member sizing has very limited impact on the historic fabric as indicated in the Heritage statement.

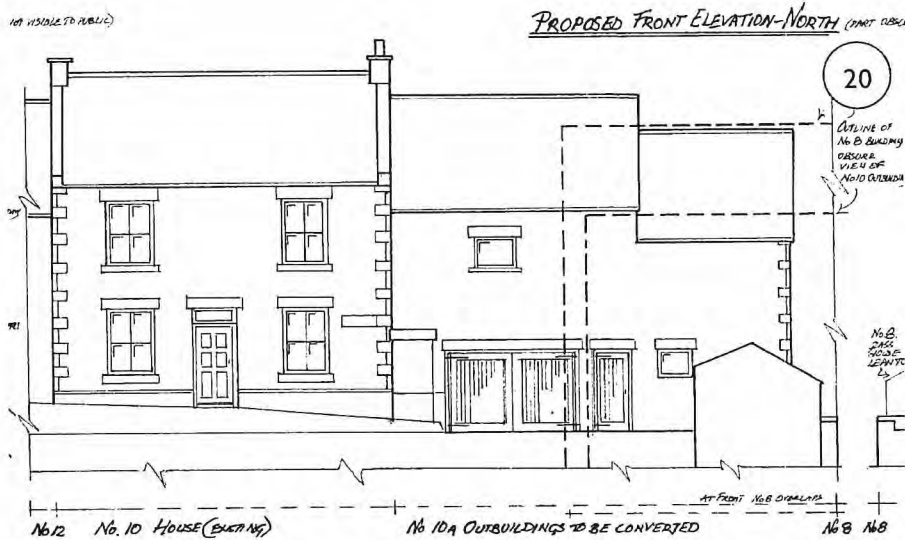
The proposed extension amounts to circa 16 sqm which is within normal levels of permitted development, although a listed building requires approval rather than permitted development. It is really quite a small extension and it replaces a crumbling concrete apron.

Any repairs, replacement or wall extensions are to be undertaken in matching stone work and are mainly concerned with raising eaves heights. This is in common with many other heritage buildings in Osmotherley and form part of the evolving fabric of the settlement albeit in a traditional form. It does not detract or remove historic fabric.

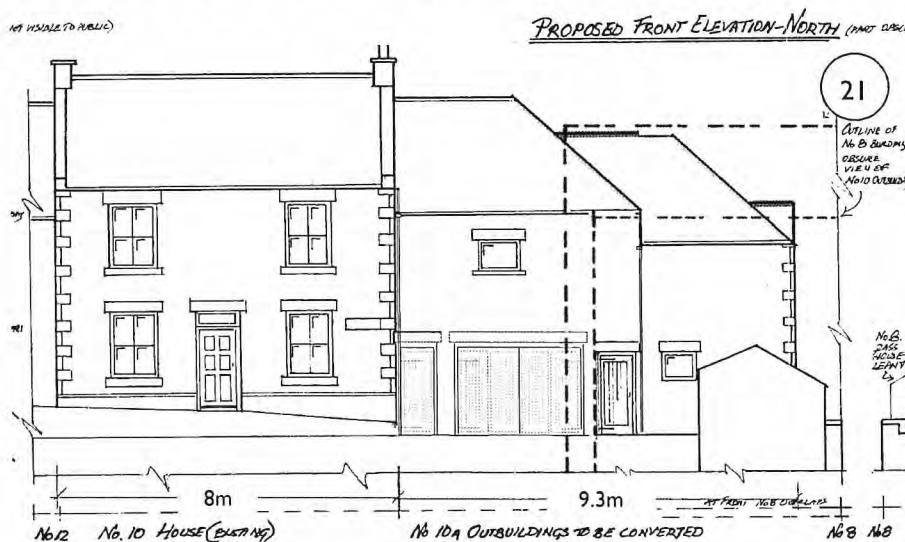
Optional Roof Designs - submitted Oct2018 and Mar2019



**Option A**  
 Oct 2018  
 Scheme Submitted  
 Following 14Feb18  
 meeting where  
 eaves height agreed  
 at one and a half  
 standard storeys



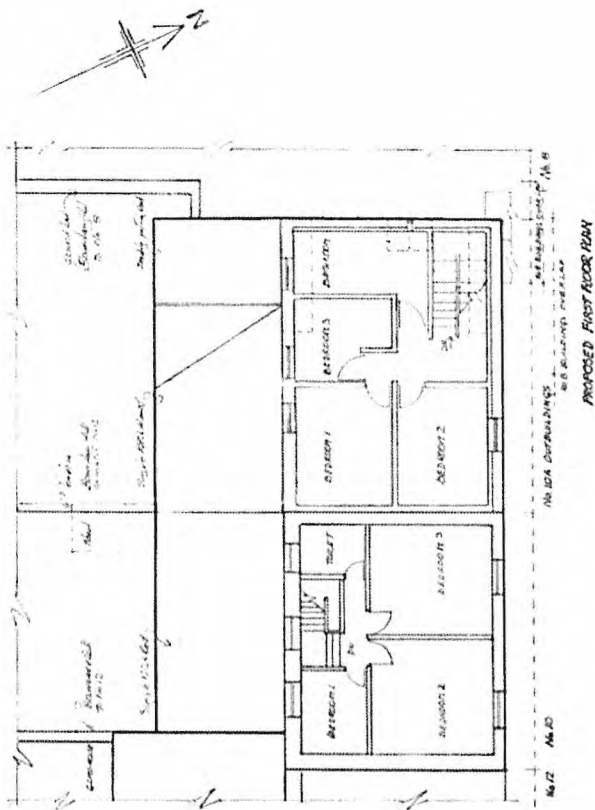
**Option B1**  
 Drafted after query  
 28Nov18  
 Do roof styles need to  
 be changed ?  
 I hip roof & I trdnl



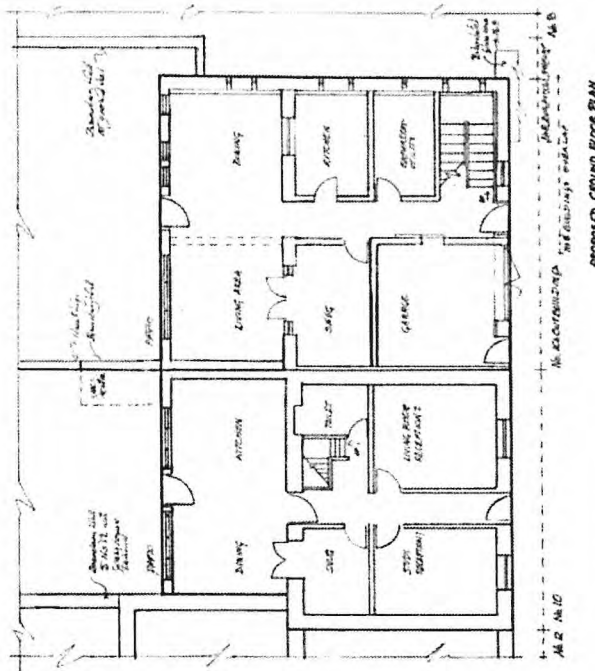
**Option B2**  
 28 Mar 2019  
 Current Scheme  
 Submitted  
 following 22Mar19  
 meeting, advising  
 requirement advised  
 for hipped roof style  
 to be used.

PROPOSED FRONT ELEVATION-NORTH (PART 02/01)

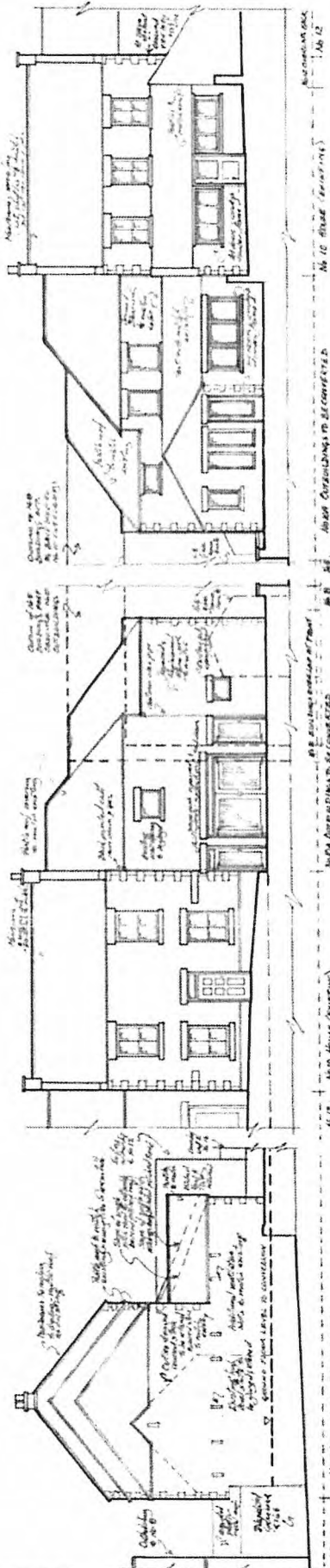




PROPOSED FIRST FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



PROPOSED FRONT ELEVATION - NORTH (NEW PROPOSED)

PROPOSED FRONT ELEVATION - SOUTH (NEW PROPOSED)

PROPOSED SIDE ELEVATION - WEST (NEW PROPOSED)

**No 10 SOUTH END - OSMOTHERLEY**  
 Proposed Alterations, Extension and Conversion of Existing Building  
 To Part One Dwelling and Conversion to Dwelling Building  
 Eng 15 Proposed Plan Scale: 1:100 (A1)

ALL PROPOSED WORK IS TO BE CONDUCTED IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE BUILDING ACT 2004. THE PROPOSED WORK IS TO BE CONDUCTED IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE BUILDING ACT 2004. THE PROPOSED WORK IS TO BE CONDUCTED IN ACCORDANCE WITH THE BUILDING REGULATIONS 2010 AND THE BUILDING ACT 2004.

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**10 South End Osmotherley- Amended Plan-27Mar2019**

Drawing 2 Revision B.

Further to the meeting at the Nation Park Headquarters at Helmsley 14 Feb 2018, the subsequent responses following the amended 1 Oct 18 submission, the change in staff made prior to those responses as advised 12 Mar 19, together with a recent subsequent meeting 22 Mar 19.

I attach the following notes to the revised submission of the 27 Mar 19, indicating revisions made and public benefits of proposal.

*Pigsty and its pitched roof:*

The revised plan now retains the full span as well as the pitch of the existing pigsty roof, retaining the west elevation and repairing and rebuilding the south facing elevation as necessary, with the roof raised as previously agreed to allow a habitable room with open access to adjacent living space. The existing openings are retained as windows with additional openings for further light penetration to the inner rooms.

*Gap between single pitch roof to House and to Outbuildings*

This gap was removed as requested so that the single storey roof extension is continuous with no gap albeit the lower height of the conversion allowing distinction between the House and the Outbuildings.

*Front outbuilding adjacent to Carthouse.*

In seeking to improve the relationship between the roofline of the carthouse and the outhouse adjacent, so that each building, from the house down to the cart house, down to the outbuilding retain their hierarchical subservience, the step down in the roof, previously 400mm has, with the eaves height at one and half storeys as agreed, now been increased to just under a metre. This impacts, on both the bathroom, the third bedroom and the stairs, such as to give rise to a part sloping ceiling at less than habitable room height. The style of the roof has been changed to hip as requested to reflect the original roof style- albeit now based on sound structural design parameters. The second roof has been shown as a hip to allow the original ridge height of the front outbuilding to show as a dormer giving added evidence to the western elevation change in stone work of the evolving history of change. However, a traditional dual pitched roof at the same eaves height would be fine and notwithstanding the historical evidence of the structurally unsound hip roof, repeated with its replacement in 1989, the elevation that sits most sympathetically, with those elements of roof that can be readily seen, is for both to be traditional dual pitched roofs.

*Windows & Energy Conservation*

As requested, casement windows with a vertical emphasis, have been used with the glazing bars removed from the new double glazed fenestration to lessen the impact of suburban dwelling style. In respect of maintenance work to the House itself, previously advised, for clarity, this includes breathable insulation provided internally to all external elements with slimline double glazing as used elsewhere in Osmotherley at the direction of the National Park. The house windows were replaced circa 1985 and also now require replacement.

*Blocked in doorway on front elevation*

The previously blocked up opening to the north elevation has been retained and brought back into use using a traditional ledged and braced door. The more modern garage doors, with the opening and doors replaced circa 1989, have also been replaced with similar traditional doors. There is cracking to the stonework above the then inserted lintel to the north elevation and the timber element is rotting as set out in the structural report and this requires to be repaired and replaced. The lintel is set at the height of the original remaining stone lintel.

*Proposed location for storage shed for No 10 as discussed*

The proposed location for a shed as requested as been shown in outline on the revised plan. This location benefits from the aspect of the sun for a greenhouse and avoids obscuring the window if used for bike storage.

*Realignment of rebuilt walls offset by partial use of garage as accommodation*

The rebuilt structurally unsound walls have been retained in their original location and aligned with the south wall to of the original dwelling reducing the available floor area. This has been offset by a reduction in the garage area such as to now accommodate a small mini size car rather than a family saloon.

*I: SUMMARY PROPOSAL AND HISTORICAL CONTEXT*

- 1.1. Constructive, conservation enabling development, proposals were submitted to NYM for Planning in late 2017, for the conservation and conversion of three unused outbuildings, abutting and within the curtilage of a grade II listed, early to mid C18<sup>th</sup>, dwelling that forms an end of terrace at South End just within the Osmotherley conservation area.
- 1.2. The proposal is an enabling development that secures the longer term future of structurally unsound buildings, unused for 40 to 80 years, that contribute to the Conservation Area as part of the Historic fabric. The proposal provide an additional three bed, owner occupied, family home within the built up, area of Osmotherley. Repair, maintenance and energy conservation measures are proposed to the current dwelling, using accepted conservation techniques, together with modifications to the existing lean-to, single skin, late C19<sup>th</sup> kitchen extension. There are no proposals to modify the plan form of the original dwelling or form additional openings to the principal street elevation.
- 1.3. The original C18<sup>th</sup> house, together with the adjacent properties, were owned and occupied by tradesmen, from circa 1845. Over the next 50 years, a cart house, at the same eaves level as the dwelling, was added, followed by a pigsty, the latter integrated into a longer single storey building in the late C19<sup>th</sup> running the full depth of the house. This was later remodeled to form a separate building and pigsty in the early C20<sup>th</sup> around 1910, with ongoing amendments to walls, openings, roof formats and heights during this 50 year period. The dwelling itself was raised and altered in late C19<sup>th</sup>.
- 1.4. The abutting buildings, constructed in part of rounded sandstone, heavily plastered with concrete mortar and of poorer build quality, differ in character from the coursed ashlar blocks of the original dwelling. Their use appears as previously incidental to the house and was at least in part, more probably associated with trade. Their original purpose no longer exists and storage of this scale is neither required, nor suitable, being prone to damp and rats.
- 1.5. Views of the proposed development are very limited, other than from the north facing principal elevation when viewed at right angles to the road. Even when viewed from the principle elevation, the buildings appear small, relative to the dwelling, as parts of the buildings are hidden behind others. However, on plan, their existing footprint can be seen to be larger even without including the deteriorating concrete apron, due to the north elevation being longer than that of the dwelling.
- 1.6. The roof heights are lower than the current raised dwelling, with the highest ridge, counter balancing the two storey terraced house on the other side of the dwelling and descending in steps to the neighbouring single storey building. There is no view from the east and very limited viewing from the south and west aspect, of anything below the first floor, due to the contours of the land.
- 1.7. Originally, all the land to the front of the property was hard standing for use by carts associated with operating trade until circa 1920 as such there is no extension of hard surfacing. In 1977, a small element of grass was set in hand, and extended in 2004.
- 1.8. To the rear, the land appears to have previously functioned in part as a vegetable plot and part as a waste tip or land fill, for glass, pottery, metal and bones. It is proposed to form an additional low stone wall, similar that of the mid C19<sup>th</sup> boundary with the adjacent property, previously part of a larger complex, separating but retaining the open vista without visual disruption, as can often be found within a garden. Such a wall is easily removed without damage to the historic fabric, if required.
- 1.9. The site will retain a low level of development, with larger private amenity areas for both the existing dwelling and the new dwelling, than those of the adjacent three terraced properties or the recent three bed affordable housing, approved by the NYM in Osmotherley. The balance of development to amenity land is greater than the recommended average in the government supplementary planning guidance and more than twice the advised minimum.

## 2: PROPOSAL RATIONAL, ENABLING DEVELOPMENT & PUBLIC BENEFITS

- 2.1. The proposal seeks to retain the historic fabric, construction and individual character of the adjoining buildings to the principal elevation, viewable by the public within the street scene of vernacular buildings, using only the current openings, along with the hierarchical roof relationships, subservient to the Grade II listed dwelling. Using traditional materials and minimising energy use, a modest single pitch single storey extension, as advised by NYM guidance, is proposed to the back elevation, below visible sight lines and within the building line, comparable with normal permissible development levels.
- 2.2. Implements the conservation elements agreed with NYM conservation and planning in February 2018, to ensure the scale, height, massing, proportion, form, size, materials and design features of the proposal are compatible with and respect surrounding buildings, and will not have an adverse effect upon the amenities of adjoining occupiers. Including namely:
  - The retention of the pigsty, with eaves slightly raised for habitable use.
  - The retention of the visible evidence of historical doorway access between buildings.
  - Limiting the eaves height to the front outbuilding to a more acceptable one and a half storeys.
  - Retaining the historic subservient, hierarchical nature of the vernacular buildings whilst achieving conversion to a three bed, owner occupied dwelling with garage.
  - Omitting glazing bars on the non public, south facing aspect, towards a less suburban style.
- 2.3. Retains and respects the historic, open street frontage contributing to the conservation area, with no added physical boundaries between individual dwellings. The previous tarmacked path and part historic hard standing area are enhanced with use of traditional 'green lane' stone track and flags, whilst retaining a greater extent of grass than originally introduced in 1977.
 

*(The frontage is 'adjacent land' in the applicant's ownership, registered separately from the house. It is not historic grass verge, common land, village green, right of way, highway, footway or manorial waste. Pre-1914<sup>5</sup> and 1904 historic evidence shows the entirety as hard standing, for use of carts linked to operating trade. Two small grass areas, planted 1977, were extended 2003).*
- 2.4. Secures and preserves the longer term, positive future physical contribution of historic assets and historic evidence towards the conservation area as encouraged by the National Park.
- 2.5. Secures the potential reuse of historic outbuildings, unused for 40 to 80 years, with the potential for viable occupancy, following attainment of structural integrity as required for occupation and building regulations, promoting future care and maintenance in line with key objectives from NYM.
- 2.6. Secures a viable approach, enabling an investment level towards resolving and stabilising the underlying causes and inevitable future structural failure as a consequence of elements of the original construction.
 

*(Using the capital realised from a three bedroom, family dwelling with parking, qualifying for mortgage and insurance cover, allowing the unoccupied, structurally unsound buildings to be brought back into sound condition so as to allow future occupation and use, securing a future for the retained elements of historic fabric of long unused buildings, through a viable return).*
- 2.7. Secures a key public benefit, in line with National Planning Guidance for sustainable development and the NYM Local Development Plan, of an additional family home within the built up area, with the full support of the parish and without objections from adjoining neighbours either side.
- 2.8. Contributes to securing the sustainability of the village school along with other community facilities, a key NYM LDP community and spatial objective as well as a parish and community objective.
 

*(NYCC, along with other responses to the LDF consultation, registered concern with the level of development restrictions in potentially sustainable settlements, increasing the risk of village school closures and other community facilities through exacerbating the population decline and ageing profile from previous levels, faster than the national average. The Local Community strongly prefer an increase in permanent residents, rather than holiday lets within the village reducing community life, especially in winter. It is the community, with the school at the heart, that keeps Osmotherley a lively and sustainable rural village. This proposal has the opportunity to contribute, through releasing not only an additional three-bed family home but without objections from adjoining neighbours. Previous development policies, despite good intent, have had unforeseen consequences of failing to support the potentially sustainable communities that they were supposed to conserve and vitalise).*
- 2.9. Improves the visual character of that corner of the conservation area by repairing and bringing the structurally unsound and unused historic outbuildings buildings back into sound condition and use.
- 2.10. Addresses repair, replacement, repointing and remedial works using traditional measures for rainwater goods and pursues energy conservation to the original listed dwelling, whilst retaining its historic plan form.

## 5: STRUCTURAL SURVEY – IMPLICATIONS AND PROPOSALS

- 5.1. The principle reason for submitting the proposed development is to enable a viable solution to allow the repair and restoration of the structural integrity of the Grade II listed buildings, enabling their future and use.
- 5.2. The original dwelling is mainly C18<sup>th</sup> traditional construction. Last renovated in 1985, including rainwater goods and window replacement, it requires some maintenance and energy measures but no alterations are proposed to the basic plan or elevations. It is proposed to rebuild the later C19<sup>th</sup>, south facing, small, lean-to, kitchen extension, not visible from a public viewpoint, in traditional form, as agreed with NYM 14Feb18 in an energy conscious format. The extension is part single skin with frost damaged stone, lined with hardboard and a significant roof dip from overstressed structure. Its roof and windows were last replaced in 1985.
- 5.3. The structural report sets out the findings and remediation required for buildings added to the site in the 50 years between the mid C19<sup>th</sup> and the early C20<sup>th</sup>. The buildings comprise, a two storey cart house, a single storey pigsty to the rear, adjoined to a single storey building, previously running the depth of the cart house, now with a high pitched roof to the front but mostly blocked from view. Conversion is proposed for these three buildings, which have remained unused for decades with the loss of their original purpose circa 1925.
- 5.4. The buildings are not of the same traditional construction quality or material as the original dwelling and are structurally unsound. Following previous structural surveys, safety measures were effected but the buildings remains unsound to allow future use. To secure their future and their contribution to the sustainable historical fabric of the conservation area, a viable use and significant investment in the structure is required.
- 5.5. Although the outbuilding roof structures and doors are late C20<sup>th</sup>, they have been carefully investigated, along with the stonework, to identify which elements are structurally unsound and require taking down and rebuilding and those, which with careful repair and stitching of stonework, can hopefully be retained. Despite major renovations in 1985, including roof and underlying structure replacement - with part reuse of earlier timbers, rainwater goods and subsequent maintenance, those renovations now need replacement. This includes the previous remediation work of plastering the stonework with concrete mortar to hold it together which has resulted in deterioration to the stonework.
- 5.6. Unfortunately, those renovations failed to address the underlying structural design faults of the roofs and walls, causing inherent failures in the integral structural framework. There has been a severe adverse impact of eaves spread as a consequence, impacting on the north south dividing wall of the cart house, shared with the adjoining single storey building, and the south facing elevation. The former having severe cracks, from 50mm to 65mm, from top to bottom in seven instances, with the wall ends pushed apart. Whilst the latter, having been pushed out of alignment, is bowed by 200mm above the door and 75mm at eaves level. Loose stones in the inner wall, are restrained only by mortar and a soft timber lintel, rife with woodworm. The walls are of rounded sandstone with rubble infill while the outside skin appears held together mainly by concrete mortar. The weight of the roof is supported on acrow props with added timberwork. All roof structures require redesign and those walls, which have lost their structural integrity, taken down and rebuilt to provide adequate structural roof support as a result of inherent design failure, potentially compounded by inadequate rainwater drainage.
- 5.7. The proposals seek to preserve the historic character and as much as practical of existing historic fabric including stonework to the north, west, east and pigsty to the south, achieving structural resilience through underpinning, remedial stitching and rebuilding, as set out in the structural report with any new stonework similar in appearance to existing. The stonework of the principle, street facing north elevation, contributing to the street scene, is repaired and rebuilt as required, retaining the original number of openings. The west elevation stonework is retained and extended with stonework to match where required as with the north elevation. In keeping with the existing vertical slit openings, for minimal light and ventilation, further slit openings, above eye height have been added to avoid visual intrusion, following consultation with the neighbouring owner. The requirement for daylight and outlook is constrained to the non-public aspect of the south façade, avoiding disruption to the roof plane. Two additional window openings are provided at first floor, whilst a predominantly glazed single storey, small single pitch extension, allows borrowed light into the depths of the building at ground floor without adverse impact on the existing historic fabric. As agreed with NYM, the pigsty is retained in pitch and span and raised to habitable height. The south facing wall with cracks and frost damage will be repaired and rebuilt with the openings glazed as windows.

North York Moors National Park -Planning  
The Old Vicarage, Bondsgate  
Helmsley, North Yorkshire  
YO62 5BP

10 South End  
Osmotherley  
North Yorkshire  
DL6 3BL  
24Nov2018

Attn: Mrs. A Teasdale  
Copy: Lavingham Planning Consultants Ltd

Re: NYM/2017/0717/FL & LB

Dear Mrs. Teasdale,

Ref: 10 South End Osmotherley – NYM/2017/0717/FL

Thank you for your letter of the 8Nov18, forwarded to me 12Nov18 by the Planning Consultant. Unfortunately he is now on leave and I am concerned a response is sent, in case there is a time limit. Thank you for allowing the scheme withdrawal for resubmission and this letter confirms that withdrawal.

It was disappointing that the proposal was not deemed acceptable. Detail notes were taken, to ensure all areas of concern were addressed by incorporating the specific requirements from yourselves, in line with the positions reached on each of the items raised on the scheme.

Instead of the original proposed replacement of the pigsty with a mono pitch sloping roof extension, the original pigsty fabric was retained with the original gable roof pitch renewed and uplifted to habitable room height, which your conservation officer accepted when proposed by the planning consultant.

Instead of the original proposal to increase the height of the front outbuilding to a lower but double storey compared to the house, to allow for a three bedroomed family house, the height of the front outbuilding was only increased to one and half storeys habitable height with internal sloping ceilings into the roof space, which was accepted by your conservation officer when proposed by the planning consultant.

All other specific changes requested were adopted as was noted with 1<sup>st</sup> Oct18, registered submission.

These requirements changed the scheme elevations by restricting the internal space more than preferred, but the scheme could hopefully still go some way towards recovering the investment to resolve the existing inherent structural wall and roof defects, by still achieving a basic three bedroomed family home.

For that reason, following an initial outline sketch, the two more radical options put forward towards the end of the meeting were not taken further. Namely: the option of building a gable end, adjoining the original house and the pigsty, to the south facade of the cart-house, and the option to convert the garage to habitable floor space, losing the garage and replacing the current garage doors with a full height glazing to the north, street facing elevation.

The ideal might be for no change but that would not allow reuse as a family home, as the walls and roofs are not structurally sound, the natural light level is inadequate and a small floor area increase is needed.

It is challenging to keep trying to achieve an acceptable proposal for non-specific areas of conflict, when previous requirements have been implemented as requested and the subsequent non-acceptance is based on general terminology. I would ask for your assistance in writing, confirming that the following understanding is correct, so as to allow the focus to be placed on the specific element not yet achieving an acceptable outcome to assist in determining the best way forward before resubmission.

I would be grateful if you would confirm, based on previous communication and our meeting, that:

- The setting itself is not an issue, indicated in the original conservation response to the original proposal.
- The proposals in respect of the original house are acceptable and can be 'lived with', advised at meeting.
- The frontage proposal is acceptable if original hard surfacing is evidenced by photo imagery circa 1904-7.
- The outstanding issue is that 'the proposed scheme would seriously harm the character of the building as one of special architectural and historic interest as a consequence of the erosion of the legibility of the historic relationship between the principal host building and its subservient ancillary buildings'.

As the front outbuilding and pigsty have both been changed to comply with requirements as concurred at our meeting, is it now just the structural modification to the cart-house roof design that is unsatisfactory?

I hope you are able to respond to assist in establishing a way forward, acceptable for planning approval.

Yours sincerely,  
K. Livingston

Please note that the above response was confirmed in writing by the planning agent, who also attended the Feb meeting, as a response that "accurately summarises matters".

## 6: POLICY ALIGNMENT & CLARIFICATION

- 6.1. The Local Plan seeks to encourage the reuse of existing buildings and helpful guidance is set out in the supplementary planning documents. The policies set out have been considered in some detail by the applicant's planning adviser and the applicant in some detail and the following comments are made. The measures required by NYM at the meeting in February 2018 have been adopted together with further measures from the meeting with NYM on 22Mar2019.
- 6.2. Annex accommodation is mentioned under two Development Policies within the Local Plan and referred to in the Supplementary Planning documentation, namely:
- Development Policy 8 - this does not apply as the development proposed is a listed building within the settlement hierarchy and as such the policy in respect of conversion of traditional unlisted rural buildings outside the settlement hierarchy in respect of annexes does not apply. The same applies to SPD pt 4 Design guide.
  - Development Policy 19 does not apply in respect of annex accommodation, as the development proposal is not for annex accommodation. This policy appears to set out what is applicable when annex accommodation is intended, not what requires accommodation to be an annex. The same applies to SPD pt 2 Design Guide
- 6.3. *Conservation and Listed Building Setting*  
There is limited visibility of any alterations that are in public view. The 'Heritage Statement', from a fully qualified and independent professional, identified the main 'significance' to the conservation area setting and other listed buildings overall, was the principle elevation of the original dwelling and that the general repair to the façade and retention of its original character would be positive enhancing the conservation area and the settings of other listed buildings. This improvement in aesthetic value also applied to the limited views of the proposed development. The alteration to the roofline, as submitted Oct17 and Oct18, was not felt to substantially alter the character of the area or impact on the ability to understand its historic function or the historic links between the listed main house and the wider village setting. The proposal was therefore seen as having an improvement to the setting, aesthetic value and amenity of the surrounding listed buildings and Conservation Area. The original NYM conservation officer also set out in his 6 Dec17 statement that he did not "believe that the setting of the Listed Building or the Conservation Area would be affected by this proposal".
- 6.4. The proposal sets out a subservient hierarchical line of roof going from the raised height of the dwelling, to a two storey building to the agreed one and half storey building to a single storey building at the back in respect of the pigsty and at the front in respect of the neighbours single storey outbuilding. The submission in November 2018 was for a traditional dual pitched roof and was preferred, however, the roof was changed to a hipped roof style in the March 2019 submission as requested by NYM at the meeting on the 22 Mar2019. As long as the agreed height of the eaves remains at one and half normal storeys- either roof will be fine. No additional openings have been made in the front street facing elevation.
- 6.5. *Local Occupancy*  
The scheme was submitted for an open market dwelling. NYM, in line with current policy for Osmotherley changed the application to Local Occupancy with which the applicant complied. The occupation of the conversion whilst work is ongoing to the main house was proposed, however the applicant is happy to occupy the conversion full time. It should be clear, that this issue was openly discussed at the Feb2018 meeting with NYM to confirm that if the new Local Plan is introduced, that it will be in order to submit for a change to Permanent residency. This is in part due to restrictions on local occupancy affecting the ability to attract a mortgage and the subsequent reduction in the market value of the property. This approach is required to go some way towards recouping the investment. NYM planning advised that this was likely to be possible if the new Local Plan went through.
- 6.6. *Garage Space*  
The current door opening to the carhouse will not take the width of a modern saloon. In addition, the current presence of the acrow props makes the space unusable. The part use of the garage as accommodation, as proposed by NYM, has been designed to allow a garage for a small car to sustain the value of the property. There are some thirty car models, whose length is less than 4m and can still seat four from nearly all car suppliers.
- 6.7. *Adjacent land fronting the site*  
NYM advised that they could accept the proposal for the front layout, which is left open and does not include any additional physical boundaries, if evidence was provided of the area previously being historic hard standing. Photographic evidence in the way of post cards from 1907 and 1914 has been provided as evidence. The historic village greens stop some way further back towards the market square. The current grass lies on top of hardstanding.

6.8. *Historic England guidelines*

In respect of National Policy and Historic England guidelines The original NYM approach advised 6Dec17, that Historic England's guidance - 'Conservation Principles and Planning Guidance' states:

p 153 [...] "The fact that a place is neglected should not, of itself, be grounds for agreeing a scheme that would otherwise be unacceptable".

However, the more applicable Historic England statement in respect of this scheme and remedial work states:

P 119 [...] "Some structural failures are the inevitable, if slowly developing, consequences of the original method of construction. Once failure occurs, stabilising the structure depends on addressing the underlying causes of the problem not perpetuating inherent faults".

6.9. *Apparent size of Development and its impact*

The existing footprint of the outbuildings covers a larger area than the main dwelling but this is only apparent on a drawing plan, as the overlapping of buildings and the lie of the land does not allow such an appreciation. Even with the proposed changes in eaves and ridge height of the front outbuilding to one and a half storey, the visible elements are still subservient and not readily visible from the principle street elevation or any other elevation within the public view. It is difficult to appreciate this from drawings or photographs but it really requires a site visit to allow this to be readily appreciated.

## 6.10.

6.11. *Glazing and Insulation finishes.*

It is common for NYM to reserve matters in respect of specific glazing details for further approval after the main elevations showing the windows style and location is approved. I had thought this would be the case. In respect of details of glazing and insulation, the glazing to the south face extension has been changed each time to reflect the views of NYM from full height – considered not traditional, to traditional with glazing bars - considered too suburban, to catchment windows with no glazing bars - as contemporary, to the current version requested for a portrait emphasis. The nature of the glazing was submitted with notes attached to the submission to NYM as slimline double glazed as NYM approved elsewhere in Osmotherley. This was on the basis that most planning applications for heritage assets require a supplementary approval for the detail of the frame and glazing bars to any window proposals. A similar approach was adopted with proposed insulation measures for energy conservation with notes submitted that it would be breathable and in line with use adopted by Historic England. This too appears normally to be dealt with through supplementary approval for the detail. In terms of the flooring, some of the ground is earth based with stones, whilst other is of concrete. Either way, breathable insulation and stone paving or timber floors at first floor level are proposed as finishes. In correspondence, 30 Jan19, NYM advised that there were no outstanding queries from the conservation team.

6.12. *Storage*

There is a reasonable provision of storage space available in both dwellings. In the original dwelling there is the addition proposed by NYM, through submission for the siting of a shed for bike storage and garden equipment which has been applied. In addition, as well as space under the stairs, the size of two of the existing bedrooms is such as to allow extensive use of cupboards. In respect of the proposed conversion, there is ample storage space in the width of the garage to a depth of 4m due to retaining the existing 4m width of the cart house which is in excess of the width required for a garage.

6.13. *Benefits*

The benefits are fully set out in the submission papers are felt to more than justify the proposals both in preserving the existing historic fabric and evidential nature of the listed building, the provision of an additional home and the bringing back into use of buildings that have been unoccupied for decades and without intervention will continue to remain unoccupied. The dwelling house managed to operate without additional outbuildings for a period of a 100 years prior to 1850 and is well on its way to managing without additional buildings for a further 100 years from circa 1940. Thankfully the outbuildings about the main dwelling without structural attachment such that their movement as a result of inadequate design has not impacted on the main dwelling.

6.14. *Summary*

The policies for consideration in determining the outcome of the planning application call for a subjective judgment. Is the raising of a roof by 1.2m, with no adverse impact on adjoining neighbours, balanced by the provision of an additional family house - contributing to the life of the community combined with the conservation of exiting historic fabric ? Do the limited views of the resulting development, contribute to the decision ?



### Enabling Development

The current indicative project costs for the submitted three bedroom application clearly indicate that to conserve and renovate this listed building will cost circa £500K plus existing value of house £308k (recent valuation) giving project development costs of £871K. The value of the two houses will then be £710K, giving a conservation deficit of -£161K. The two houses will be worth £161K less than the land, existing buildings, and conservation and renovation works. However, to ensure the effective conservation of my listed building, a level of 'conservation deficit' cost could be accepted, possibly part offset by grant.

If the outbuildings are converted within their existing envelope, as suggested, to a 1.5-bedrm property with no garage and very limited external views, except of parked cars to the north, using only the existing shell and retaining and seeking to repair existing internal structurally unsound walls that need to be shored up during the works, the two houses will be worth £244K less than the value of the land, existing buildings, and the costs of the conservation and renovation works. This deficit is more than the cost of buying another house in my part of the village. A minimum conservation deficit of even £244K makes such an approach completely unviable.

*Proposed Scheme A (3 bedrm House as submitted)*

<b>Development Costs</b>	<b>£'000</b>
Site current value	308
Design Fees Main House	10
Design Fee 3 Bed Extn (15%)	63
Restoration Main House	70
Conversion 3 Bed Extn	420
<b>Total Costs</b>	<b>871</b>
<b>Completed Market Values</b>	
Main House	355
New 3 BedRm Development as submitted	355
<b>Total Value</b>	<b>710</b>
<b>Conservation Deficit</b>	<b>-161</b>

*Proposed Scheme B (1.5 Bdrm annex within existing envelope)*

<b>Development Costs</b>	<b>£'000</b>
Site current value	308
Design Fees Main House	10
Design Fees Annex (15%)	51
Restoration Main House	70
Conversion New Annex	340
<b>Total Costs</b>	<b>779</b>
<b>Completed Market Values</b>	
Main House	355
New 1.5-bedrm	180
<b>Total Value</b>	<b>540</b>
<b>Conservation Deficit</b>	<b>-244</b>

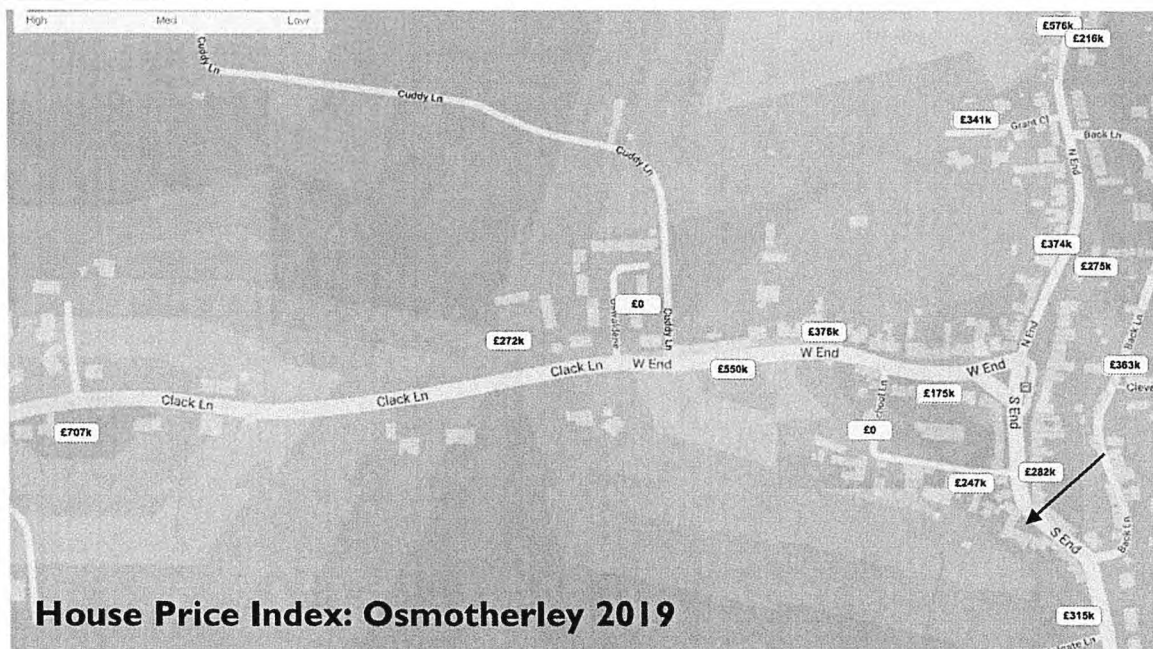




Figure 1: The building to be retained and sustainably reused.  
Note the weigh bridge and the railings will all be removed.



Figure 2: The retained building structure to be used as a reception / site manager's office facility (including loos and showers). Clearly the appearance of the roof will change as pantiles are proposed along with new window frames and doors. If exception is made to the brick in the building, the applicant is willing to clad the structure in timber.



Figure 3: The current interior of the building is robust but will be completely refurbished



Figure 4: The interior - The existing kitchen.



Figure 5: The interior – the former loos.

- The building already exists and can be appropriately and sensitively upgraded.
- To retain and re-use this building creating a more attractive exterior is far more sustainable and environmentally friendly than demolishing it and rebuilding a timber structure.
- The planning case officer has referred to the existing building as being ugly. It is proposed to upgrade the structure with pantiles on its roof and refurbished windows and doors. Clearly the whole of the interior will have to be suitably refurbished. No internal partition is structural so a completely new internal layout is feasible.
- External utilitarian clutter such as signs, metal railing, etc. will be removed. It will be one of the first elements of the scheme visitors experience and it will be important for it to be attractive and welcoming.
- NYMPA have the use and very existence of the building in their control at all times. Spaunton Estate will accept a condition attached to any planning permission which seeks to ensure that the proposed reception and communal/loo/shower facility is removed from the land within 6 months of the leisure use not being operational.

## The proposal is in accord with planning policy

The proposal fulfils the development aspirations of existing development plan policy I4 on tourism and recreation in the adopted Core Strategy which states that schemes:

**will make use of an existing building.** Proposals for new buildings will be expected to demonstrate that the facility cannot be **satisfactorily accommodated within an existing building** in that location (our emphasis).

The proposal fulfils the development aspirations of the emerging local plan especially:

- Strategic Policy C – Quality and Design of Development;
- Strategic Policy G- Landscape;
- Strategic Policy J – Sustainable Tourism and Recreational Development; and
- Strategic Policy K – The Rural Economy.

In particular, in the justification text for Strategic Policy J it specifically states that:

New buildings will only be permitted if the diversified use cannot be suitably accommodated through the conversion or alteration of an existing building;

**In the case of camping or caravan sites the expectation is that that amenity blocks should utilise existing buildings on the site.** If there are no suitable buildings, new structures may be acceptable if they are of lightweight design and construction so that it can easily be removed from the site. (Our emphasis).

The NYMPA had adopted a standard which follows the 'principles of sustainable tourism'; the planning application and its retention, refurbishment and re-use of the existing building also follows those standards.

## Summary

The Spaunton Estate require retention of the existing redundant building for the reception / communal facilities. This will be upgraded both internally and externally and can be timber clad if required. This preferred option is the most sustainable one with the least disturbance to the natural environment.

If additional details are required to facilitate the above or any other option, we request that the application is delegated back to officers to oversee the submission of these details.

Thank you for taking into account these material considerations when determining the planning application.

16<sup>th</sup> April 2019



CANALSIDE HOUSE, BREWERY LANE, SKIPTON, NORTH YORKSHIRE, BD23 1DR

REGISTERED IN ENGLAND NO. 6839914 VAT REGISTRATION NO. 972 8082 90

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## THE PROPOSED LEISURE USE AT SPAUNTON QUARRY PLANNING APPLICATION: NYM/2018/0791/FL

17th April 2018: Further to the communication from Mark Hill this morning stating that the officer recommendation will be changed from **approval** to refusal because there is disagreement about retaining the existing building at the site and re-using it for ancillary functions to the leisure use, we would like to offer the following comments:

- It is clear that the NYMPA are happy in principle with the new, small-scale leisure use which is being proposed.
- The position of Mark Hill is that the existing building has to be removed because that is what it says in the Master Restoration Plan. We have not had the opportunity to discuss how its character and appearance can be altered to make it appropriate.
- We firmly believe that the environmental benefits of the retention of this building outweigh its destruction and the erection of a timber structure. To insist on its removal makes no practical sense.
- We will continue to seek to resolve the situation and hope that we are able to have dialogue and be able to work on the detail of the building together.

Meanwhile please note that the Spaunton Estate has nearly finished implementing the Master Restoration Plan for the quarry.

We carried out a presentation in 2017 about the development of a much larger leisure scheme in the quarry which based on the Langdale Estate in the Lake District National Park.

We listened to the feedback received from the NYMPA and significantly reduced the scale of the proposed leisure development to that contained in this current application.

Other ongoing matters include:

- The submission of a planning application for the retention of two existing buildings to facilitate the agricultural use of the quarry.
- An application is being made to alter the boundaries of the common land.
- An application for minor modification of the Master Restoration Plan (to be submitted by Cemex following a site visit by Mark Hill in 2018).
- The submission of representations to the Local Plan (on-going process).

Bearing in mind the above, it is considered appropriate for Members to have a site visit to the former quarry to fully understand the issues under discussion.

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