



08 May 2019

Planning Supporting Statement

For: Mr K and Mrs S Roche

NYMNPA

08/05/2019

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Table of revisions

Rev/version no.	Date	Amendment details	Revision prepared by

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1.0 Introduction

- 1.1 Cheryl Ward Planning has been instructed to submit a planning application in relation to the area outlined in red on the attached location plan at Foulsyke Farm, Fylingdales, Whitby, YO22 4QL.
- 1.2 The client has instructed a variation of condition 1 and 2 of planning permission NYM/2011/0863/FL to allow the building to be occupied as a local occupancy dwelling and for it to be severed from the main farmhouse. It is from this property that the site and farm will continue to operate.
- 1.3 In addition, it is proposed to vary Condition 8 of planning permission NYM/2004/0891/FL to allow dual use of the remaining holiday lets or local occupancy letting units. They would remain in the same ownership as the main farmhouse.
- 1.4 The accompanying location plan identifies the site and the buildings the subject of this proposal.
- 1.5 There are no physical alterations to any of the properties or buildings the subject of this planning application.
- 1.6 This Statement is prepared by Cheryl Ward Planning who holds an MSc in Town Planning and is a Chartered Member of the Royal Town Planning Institute (RTPI) and associated ICN and PERN networks.

2.0 Purpose of Statement

- 2.1 The statement is to be read and fully considered as a supporting document in conjunction with the accompanying planning application. Its aim is to assist those assessing the application to understand the rationale behind the proposal. In summary, it provides a structured way of describing the development proposal.

3.0 Planning History

- 3.1 A check of the NYM National Park Authority's online planning explorer has revealed the most relevant planning history and consents are those listed below.

NYM/2011/0863/FL – conversion of agricultural buildings to form 2 no. holiday cottages and erection of fencing (retrospective) at Foulsyke Farm, Fylingdales – Approve

NYM/2011/0864/LB – listed building consent for internal and external alterations to enable to conversion of agricultural buildings to form 2 no. holiday cottages and erection of fencing at Foulsyke Farm, Fylingdales - Approve

NYM/2006/0207/CU – change of use of agricultural building to micro brewery (amended scheme to previous permission NYM/2004/0891/FL) (retrospective) at Foulsyke Farm, Fylingdales - Approve

NYM/2005/0020/LB – listed building consent for alterations in connection with conversion of outbuilding into 3 no. holiday cottages at Foulsyke Farm, Fylingdales – LBC granted.

NYM/2004/0891/FL – conversion of outbuilding to holiday cottages, change of use of outbuilding into micro brewery and erection of stables at Foulsyke Farm, Fylingdales – Approve.

4.0 The Proposal

- 4.1 Foulsyke Farm is located west of the A171 Scarborough to Whitby road within the heart of Fylingdales. The farm lies 4.69 miles south of Whitby and 9.67 miles north west of Scarborough and is within easy reach of coastal areas and the North York Moors.
- 4.2 The application site comprises a farm steading which includes the main farmhouse which is a Grade II listed building and a range of traditional outbuildings all of which are converted to holiday letting cottages under the above mentioned consents.
- 4.3 The application site benefits from a sizeable amount of amenity space, parking, turning and manoeuvring together with a separate farm access all of which are to remain for their original intended purpose and available for use with regard to the proposed planned changes.
- 4.4 The applicant is seeking permission to utilise Building 1 (see Appendix A) as a local occupancy dwelling which be severed in ownership from the main farmhouse and the other converted buildings.
- 4.5 Building 1 would become an independent three bed dwelling. It is from this proposed dwelling that the farm would continue to operate. Access would be taken from the existing farm access track which is already in situ. It branches off to the south of the main farm access road and skirts around the south side of the site.
- 4.6 Amenity and parking for the dwelling would be at the rear of the building (west) with approximately one third of the front courtyard retained as domestic curtilage. The ownership boundary within the central courtyard would be delineated with only a modest box hedge or shrubs rather than a hard boundary on account of preserving the character and setting of the listed buildings.
- 4.7 Building 2, the farmhouse would remain the same with no physical changes. The existing 1 acre curtilage and garden to its north side would continue to be associated with the house.

- 4.8 In addition to the above the applicant is seeking permission to vary the use of Buildings 3 and 4 in a manner which would widen their use to a dual use of holiday lets (already permitted) or local occupancy letting dwellings which will continue to be tied to the main farmhouse.
- 4.9 Building 3 is a 2 bed unit and Building 4 is a 3 bed unit. Both are of an adequate size to provide full time residential use with ample amenity comprising garden, curtilage and parking directly to the north of the buildings on an existing area which will not be altered. Once again no demarcation is needed.
- 4.10 An adequate Klargestor sewerage treatment plant is in place to cope with the demands of each of the units.
- 4.11 Access to the main farmhouse and Buildings 3 and 4 will remain the same and will not be altered as part of the proposal.
- 4.12 The scope of works covered in the application is purely concerned with ownership and occupancy/tenancy and will continue to provide high quality accommodation at the site and does not envisage an increase in activity at the site. In fact, the proposed use(s) could potentially mean less traffic accessing the site.
- 4.13 The application secures the buildings long-term use and conservation of former barns within the same setting without harm to the special qualities.
- 4.14 There is no anticipated or foreseen conflict between the compatibility of uses or between the amenity or quality of life of existing/future occupiers.

Site Management

- 4.15 Buildings 3 and 4 would continue to be managed by the occupants of the main farmhouse who will operate and manage lettings, take future bookings and control the level of activity within the units (dual use).

Planning Strategy

- 4.16 The overarching strategy potentially decreases the number of units being used as holiday rentals for flexible units and an offer that provides an element of local occupancy housing provision on all of the buildings excluding the main farmhouse.
- 4.17 This is a key objective which the new Local Plan aims to encourage to strike the right balance between protecting the national asset (National Park) and allowing people to live and work in it. This is set out in recent publications and articles following the final consultation stages of the new NYM National Park Local Plan.



Fig 1. – Farm access and buildings in the distance



Fig 2. – Principle elevation of main farmhouse



Fig 3. – Building 1 – future local occupancy dwelling



Fig 4. – Buildings 3 and 4, dual use to include local occupancy

5.0 Impact on Heritage Significance

Foulsyke Farmhouse, A171, Grade II Listed Building

5.1 The historic environment record list entry description states:

“FYLINGDALES A171 NZ 90 SW 11/9 (west side) Foulsyke Farmhouse

- II Farmhouse, probably early C18 with alterations. 2 builds. Coursed herringbone- tooled sandstone main house; downhouse mostly rebuilt in coursed rubble. Welsh slate roof with stone ridge, copings and kneelers, brick stacks; concrete tiles on downhouse. Hearth-passage plan. Lower downhouse 2 storeys, 1 bay. Passage entrance in downhouse: boarded door with fancy hinges under timber lintel. Mid C19 fixed light to right and 2 small plain casements above. Main house 1 storey and attic, 2 wide bays. Ground floor 2 modern windows with pivoted tops. Small central stair window. Plain casements in 2 dormers resting on eaves. Prominent curved kneelers. End chimneys to house and at end of downhouse. Some altered stonework at left. On rear (south) elevation, a boarded passage door with a small fixed light and 2 Yorkshire sashes at left; 2 plain small casements above. In main house, 2 tripartite windows with glazing bars and central opening sashes. 3 flat-headed dormers, with modern casements above. Interior shows inglenook with heck and salt cupboard. Beamed ceilings may be later open- early C19. C18 bracketed stone fireplace in downhouse. Timber and corrugated iron lean-to at east end is not of interest.

Listing NGR: NZ9131802413

- 5.2 The application is for variation of the use, occupancy and ownership of the site and to decrease the number of holiday units on the site in lieu of an element of local housing.
- 5.3 It is not considered that these uses would exert any adverse or material impacts on the setting of the existing listed Farmhouse or buildings which have in the past been deemed to be curtilage listed although not specifically referenced in the listing description.
- 5.4 The existing setting, nature and layout of buildings remains the same and with no demarcation or dividing of amenity between buildings means the site is read in the same context.
- 5.5 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering applications for planning permission special regard should be had to the desirability of preserving the Listed Building or its setting or any features of special architectural or historic interest which it possesses. Section 72 of this Act states that local planning authorities have a duty to pay special attention to the desirability of preserving or enhancing the character and appearance of Conservation Areas.

- 5.6 Paragraph 192 of the NPPF states in determining planning applications, Local Planning Authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets, and putting them to viable uses consistent with their conservation, the positive contribution that conservation of heritage assets can make to sustainable communities, and the desirability of new development making a positive contribution to local character and distinctiveness.
- 5.7 The principle of conversion to residential use of Buildings 1, 3 and 4 has already been established and is therefore considered. Paragraph 200 of NPPF2 states that proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset should be treated favourably.
- 5.8 In this regard there is no impact on the historic or architectural fabric of the buildings, the setting and site layout will remain the same. As such the proposal preserves the buildings agricultural context in close proximity to the main house.
- 5.9 The provision of a mixed use of holiday letting units and/or local occupancy dwellings is considered to represent a sustainable form of development. It utilises existing resources and makes for a more viable use of the buildings which in turn make a positive contribution to the character and appearance of the area and are important to the setting of the listed farmhouse.
- 5.10 Foulsyke Farmhouse, probably early 18 Century is an attractive property which has retained historic fabric and features whereas Buildings 1, 3 and 4 do not exhibit any particular features or detailing of interest. The buildings are regarded as listed only by virtue of the setting of the main farmhouse which is to remain in-tact.

Key Sites (where similar development has taken place to make units viable)

- Greystone Farmhouse, Newholm – NYM4/037/0031G/PA and NYM4/037/0031H/LB
- Church House Farm, Aislaby – NYM4/036/0014P/PA and NYM4/036/0014Q/LB
- Ivy House Farm, Aislaby – NYM/4/036/0053B/PA, NYM4/036/0053C/LB, NYM4/036/0053H/PA and NYM4/036/0053J/LB
- Toft House Farm, Aislaby – NYM/2006/0768/FL and NYM/2010/0272/FL

6.0 Planning Policy Context

National Planning Policy (NPPF) (2012)

- 6.1 National planning policy is set out in the National Planning Policy Framework (NPPF) which was published in July 2018 and is a contributing material consideration. It provides a framework within which regional and local policy is set. The publication of the National Planning Practice Guidance (NPPG) in March 2014 gives further guidance.
- 6.2 Paragraph 38 of the NPPF advises that ‘local planning authorities should approach decisions on proposed development in a positive and creative way to secure developments that will improve the economic, social and environmental conditions of the area’.
- 6.3 Paragraph 83 of the NPPF states that ‘planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
 - b) the development and diversification of agricultural and other land-based rural businesses;
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’.
- 6.4 Paragraph 172 of the NPPF states that ‘great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to these issues’.

North York Moors National Park Authority – Core Strategy and Development Policies (2008)

- 6.5 The Core Strategy and Development Policies document sets out the policies which guide where new development will take place in the NYM National Park and to determine planning applications.
- 6.6 The Core Strategy and Development Policies Document was adopted in November 2008 and is nearing its term for providing up to date planning policy. The Strategy works in conformity with the National Planning Policy Framework (NPPF), referenced above.
- 6.7 **Core Policy G** (Landscape, Design and Heritage Assets) states that ‘the landscape, historic assets and cultural heritage of the North York Moors will be conserved and enhanced. Protection will be given to those elements which contribute to the character and setting of (amongst others) Conservation Areas and Listed Buildings’.

- 6.8 **Development Policy 5** (Listed Buildings) states that any development which would have an unacceptable impact on the setting of a Listed Building will not be permitted.
- 6.9 **Core Policy J** (Housing) requires housing in the NYM National Park to provide a mix of housing types and tenures to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing.
- 6.10 **Development Policy 8** (Conversion of Traditional Unlisted Rural Buildings) where the principles can be used to secure the existing group of buildings that have a close physical and visual relationship to each other and, where holiday cottage use, annexes or local needs letting is involved, include an existing residential unit within the group. In addition, the proposed use does not lead to changes to the building's curtilage or the creation of new vehicular access or parking areas that would adversely affect its character and appearance or that of the wider landscape.
- 6.11 **Development Policy 14** (Tourism and Recreation) requires the quality of the tourism and recreation product in the National Park to be maintained and improved through adopting the principles of sustainable tourism. New tourism development and the expansion or diversification of existing tourism businesses will be supported where (amongst other things) it 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.
- 6.12 The principle of allowing the buildings to be converted to holiday lets has already been established and dual use is supported by both Core Policy J and Development Policy 8 of the NYM Local Development Plan (2008).
- 6.13 Severing the tie between Building 1 and the remaining buildings will continue to provide an economic use for the site without harming the setting of the group of buildings.

Supplementary Planning Documents

- 6.14 Planning advice note 'Conversions and the Economic Use Test' confirms that the National Park recognises that many traditional buildings are likely to be suitable for re-use for economic purposes which can operate without affecting the special qualities and tranquillity of the Park.
- 6.15 The Advice Note confirms that 'holiday letting' and 'local needs letting' are an economic use and therefore in the circumstances the viability and economic use tests will not be applicable.

7.0 Conclusion

- 7.1 The proposal would enable a small part of the site to be separated off from the main farmhouse and allows the main farm to function in the same way it has in the past.
- 7.2 It is likely that the 2011 and 2004 planning consents were passed at a time when the market trend for full time lettable holiday units was favoured and a higher income could be commanded from this type of accommodation. The market is becoming swamped with holiday cottages and second homes and there is a need to re-balance this with homes for local people to live and work in the National Park.
- 7.3 The current Local Plan policies remain supportive of dual uses and the proposal backs the economic, social and environmental conditions of the area without harm to the amenity of existing and future occupants.
- 7.4 Rather than selling off all of the buildings separately and creating a proliferation of land ownerships it is considered that two smaller sites operating side by side will provide a far better solution. The site can therefore be controlled and will be more manageable rather than the present large and almost unmanageable unit which is costly to run and operate. The site has incrementally grown over the years into a site that is practically unsaleable due to its high value and on-going maintenance regime.
- 7.5 Essentially, the proposal allows a new planning chapter to commence as a mean of providing economic stability without harming the historic site setting or the compatibility of future users.
- 7.6 Taking account of the above, the development is considered to accord with the policies of the Development Plan in force and it is requested that planning permission should be granted.

Cheryl Ward Planning

Offering a high quality, technical and locally focused Planning and Development Consultancy service. With a pragmatic and conscientious approach to all projects our core aim is to achieve the best possible outcome for our clients.

Accompanied by an in-depth knowledge of the local area and a deep-rooted understanding of local authority planning requirements the business is well equipped to deal with all-encompassing planning matters specialising in planning applications (all types) – town and rural i.e. residential, rural and equine planning projects whether it be traditional or contemporary in design.

Our planning services are continually developing to keep up with the changing dynamics of the UK planning system. This helps to widen our knowledge so that our clients are furnished with the most up to date planning criteria.

Operating to a multidisciplinary approach means we are accomplished at working with a range of stakeholders including private individuals, Estate Directors, farmers, land owners, private and public organisations/groups, Parish Councils, other professionals, clients and applicants.

Our services include:

- Pre and post planning advice
 - Appraising sites for development potential
 - Agricultural and Forestry Notifications
 - Planning Supporting Statements
 - Discharge planning conditions
 - Check and send service – Cheryl Ward Planning can check forms, plans and other documents etc to make sure your application will be validated by the Council. Finally, we will submit your application via the Planning Portal on your behalf.
- Planning Enquiries
 - Planning Applications (all types)
 - Design and Access Statements
 - Variations/amendments to planning approvals
 - Prepare and submit planning appeals

NYM Moors, Yorkshire Dales, Whitby, Scarborough, Ryedale, Hambleton, Redcar and Cleveland, Selby, Wolds, North Lincolnshire, North East

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APPENDIX G LOCAL OCCUPANCY PROFORMA



LOCAL OCCUPANCY PROFORMA

To be used when applying for full and outline planning permission for Local Needs Housing, to discharge conditions as part of a Condition Verification Check and to confirm accordance with Local Occupancy conditions as part of the National Park Authority's monitoring procedures. For further information about Local Needs Housing, please refer to the Housing Supplementary Planning Document available at www.moors.uk.net

Address of Local Needs Housing

FOULSYKE FARM
FYLINGDALES
WHITBY YO22 4QL

Planning application reference no. (office use)

Do you currently live in the North York Moors National Park?

Yes No

Please complete all sections below which are relevant to your personal circumstances. All information which falls within the definition of personal data under the Data Protection Act 1998 will be used on a strictly confidential basis.

If you currently live in the North York Moors National Park, please complete this section:

Please give your current address

FOULSYKE FARM
FYLINGDALES
WHITBY YO22 4QL

How long have you lived at this address? 5 Years 7 Months

If less than 5 years, please give your addresses for the last 5 years with the relevant dates

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.....
.....

Please attach documents which give evidence of your place of residence for the last 5 years eg household bills, copies of entry on Electoral Roll

APPENDIX G LOCAL OCCUPANCY PROFORMA

Please confirm your reasons for needing to move to the proposed Local Needs Housing development

Downsizing
Smaller unit more viable to needs
+ resources

If you live outside the North York Moors National Park, please complete this section:

Have you previously lived in the North York Moors National Park? Yes/No

Please give addresses for your previous period(s) of residence in the North York Moors National Park with the relevant dates

From..... To..... From..... To.....

Please attach documents which give evidence of your previous residence in the National Park eg household bills, copies of entry on Electoral Roll

Do you have a strong and long standing link to the local community Yes/No

If Yes, please give details of your link to the community, including addresses and length of residence of any family members living in the locality

Please complete any of the following details that apply to you.

Do you need to move to be close to a relative who is currently living in the National Park and requires your support? Yes/No

If Yes, please give details including the name and address of your relative, how long they have lived in the National Park and the reasons for them needing you to live close by to give support.

APPENDIX G LOCAL OCCUPANCY PROFORMA

Do you need to move to be close to a relative who can provide you with essential support and who is currently living in the National Park? Yes No

If Yes, please give details including the name and address of your relative, how long they have lived in the National Park and the reasons for you needing to live close by.

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Do you need to move to live close to your place of employment in the National Park? Yes No

If Yes, please give details of your employment including the address, the type of employment, the number of hours and whether it is permanent or temporary. Please provide full details if you are self employed. If you need to move to take up a job offer, please say when your employment will start. Please attach a letter from your employer confirming your employment or job offer.

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This section to be completed by all proposed occupants

How many people are there are in your household? 2

Age	Male	Female
0-15
16-20
21-64 <u>1</u>
65+ <u>1</u>

What type of accommodation do you require (eg house, bungalow, number of bedrooms, garden)?

House, 3 Bedrooms

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Is suitable accommodation available within the existing housing stock to meet your requirements? Please provide details of properties currently on the market in the village where the proposed development is located.

N/A. To stay on the farm

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