

## North York Moors National Park Authority

<b>Hambleton District</b> <b>Parish: Ingleby Greenhow</b>	<b>App No. NYM/2018/0542/FL</b>
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**Proposal:** alterations to windows, doors and granary steps and removal of dormer window together with construction of replacement single storey extension to North West elevation (part retrospective)

**Location:** Atkinsons Wood Farm, Easby

**Applicant:** Mr P G Yewdall, c/o Agent

**Agent:** SPA Architects, fao: Mr D Hodgson, 1 Burdon Way, Stokesley, Middlesbrough, North Yorkshire, TS9 5PY

**Date for Decision:** 12 October 2018

**Grid Ref:** 458597 508413

### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. Standard Three Year Commencement Date
2. Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. The accommodation formed within the Byre and Cart Shed hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as Atkinson's Wood Farm, shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit, and shall be used only for members of the family or the occupier of the main dwelling.
4. Rebuilding Schedule of Works - Submit Details external steps, first floor doorway to byre, and roof
5. External Fixtures
6. Brick and Tiles to be Approved
7. Pointing - New Development - Standard Mix
8. Doors - Finish to be Agreed
9. Windows - Submit Details of Colour/Finish
10. Black Painted Cast Iron Rainwater Goods
11. Prior to the installation of windows and doors in the development hereby permitted details of a programme of works to mitigate the impact of the development on any bats at the site shall be submitted to and approved in writing by the Local Planning Authority. The programme shall include a written scheme of mitigation measures including part of the roof space to form a bat loft. The work shall be carried out prior to the occupation of the dwelling and only in accordance with the details so approved.

#### Informatives

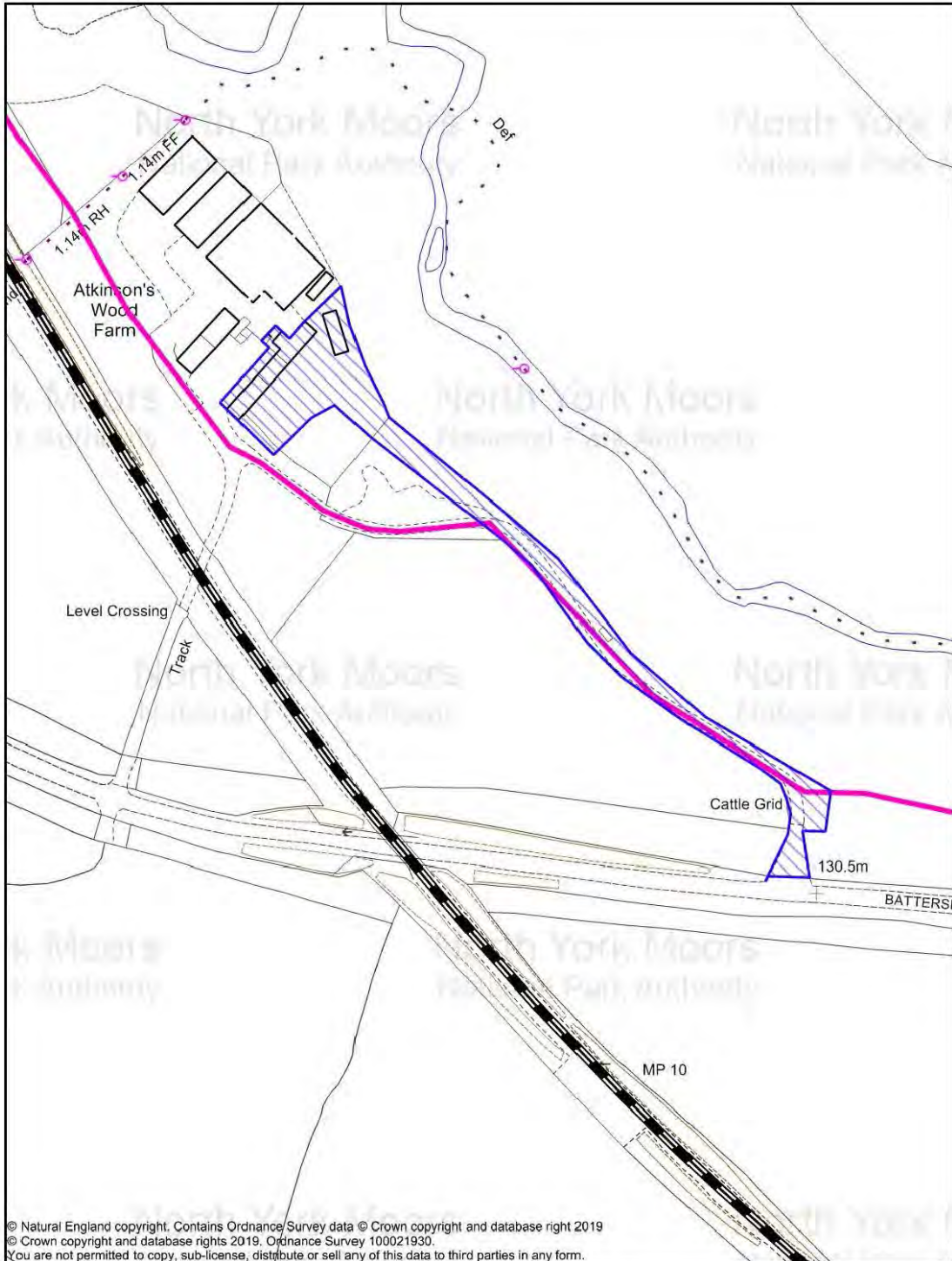
1. Bats
2. Development in Accordance with Listed Building consent
3. Section 106 Agreement
4. Birds



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

Application Number: NYM/2018/0542/FL

Scale: 1:1500



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**Consultations**

**Parish – 25/9/2018** - Significant unauthorised work has already taken place. It is not credible that neither the professional Land Agent or tenant did not know of the Listed status of the buildings. The Parish Council believes that this sets a bad example. Is it not their responsibility to check before undertaking works?

- The applications do not include for and take account of the "privies" which have been demolished/ removed from the farmstead. The issue of the removal of the privies was the original reason why the Parish Council contacted the National Park "some considerable time" ago on the basis that the Parish Council was led to believe, at that time, that the privies had just been removed as part of the work undertaken by the present tenant or his estate contractors.
- The application fails to take sufficient account of the bat population. The unconsented works, presumably conducted without the benefit of a Bat Survey, may have already caused significant damage to the bat population. A Bat Survey should be undertaken to assess the roosts, including a maternity survey in the summer months before any further potentially damaging work is undertaken. If permission is granted then a condition to have bat sympathetic roofing works undertaken to take account of both proposed work and that already completed without authorisation should be included. This should include for protection & replacement of any bat maternity roosts.
- It is not possible to understand if the application is for one or two dwellings or the intention is to have separate dwellings formed or separated from the agricultural land/farm holding.
- As for the changes to the external appearance of the farmhouse the Parish Council find it is difficult to tell what the full extent of the unauthorised work is and what is been proposed/yet to be undertaken. As such the Parish Council will support the advice of the National Park Conservation Officers on design details.
- If the "privies" are subject to a separate Listed Building application or prosecution by the National Park Authority the Parish Council would wish to be consulted and wish to see this concluded as quickly as possible as it is some considerable time since this issue was initially raised with the National Park.

**Amended Scheme**

8/1/2019 - Parish Council notes and welcomes the recent minor design improvements to the window and door details in the development. However the Parish Council's original objection to the overall application remains for the reasons given in response dated 25 September. The substantive issues raised by the Parish Council in September have not been addressed e.g. the proper consideration of the bat population and removal of privies, unauthorised work and until they are the Parish Council consider the application should be refused.

**Ward –**

**Highways –** There are no local highway authority objections to the proposed development.

**Site Notice Expiry Date –** 08 October 2018

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**Background**

Atkinson Wood Farmhouse is a Grade II Listed Building with attached byre and cart shed range set in its own grounds and forms part of a working farm steading. It is located along the north eastern boundary of the Park approximately 1.3 kilometres north west of Battersby some 800m south east of Easby.

The farmhouse is early 18<sup>th</sup> century with attached later 18<sup>th</sup> century byre and cart-shed range. The range of buildings has undergone a series of unauthorised alterations to both its interior and exterior. These unauthorised alterations have caused harm to the significance of this designated heritage asset. It is considered that “clear and convincing justification” has not been provided for this harm as required by paragraph 194 of the current National Planning Policy Framework (the “NPPF”). The desirability to preserve the significance of the heritage asset is enshrined in Section 16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and reflected in the NPPF.

Following the first enforcement inspection, the applicant ceased work on the development and has not, as yet, recommenced any works to the building. The Listed Building enforcement situation was subject to pre-application discussions. These discussions resulted in the submission of the original scheme attached to this application in an attempt to resolve the unauthorised alterations raised in the enforcement investigation; and to provide for an additional sunroom on the rear of the building; the replacement of the single storey rear extension to provide porch, utility, shower and w.c. accommodation; and the conversion of the byre and cart shed to provide additional living accommodation; and the installation of floodlights and the use of outward opening doors.

The Building Conservation Team reviewed the original application plans and raised concerns in respect of:

- The window details being incorrect for the farmhouse and attached byre and cart shed.
- The level of detail submitted in respect of the re-instatement of the flat opening in the western gable.
- The design, scale and massing of the replacement rear extension and its impact on the significance of the farmstead setting and the adjacent Listed barns.
- The level of detail submitted in respect of the reinstatement of the external steps and the removal of the unauthorised dormer above the door.

In addition to the above concerns, they raised strong objections against the porch on the north east elevation of the proposed rear extension; and to the proposed sun room located between the rear extension and external steps.

These matters were passed back to the applicant and as a result of further discussions; amended plans were received on 13 November 2018. The plans included additional details in respect of the windows, doors, ironmongery, the omission of the sun room and alterations to the design scale and massing of the rear extension to reflect the former historical brick built extension. The applicant has agreed to enter into a Section 106 Agreement to ensure that the external doors will revert back to inward opening and the security lights will be removed when he vacates the property.

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Background continued

However, these revised plans were still considered to be unacceptable in terms of their impact on the historic character of this Listed Building.

Consequently, further amended plans have been submitted which have made the following amendments in accordance with the Building Conservation Officers comments:-

- Removal of arch in Western Gable
- Removal of porch to northeast elevation
- Reinstatement of historical proportions of external steps
- Removal of the sun room

However, the front windows are proposed as casement with glazing bars which are too thick, not Yorkshire sliding sashes as requested.

Consequently, revised plans have been requested, seeking slim line Yorkshire sliders.

These plans were received in early June and have been subject to further consultation. They show:

- traditional Yorkshire sliding sash windows,
- the removal of spot lights from the Listed farmhouse,
- the re-insertion of a mullion window on the north east elevation of the farmhouse
- the repositioning of the main front door on the right side of the south east elevation of the building, which is where it was originally positioned.

### **Main Issues**

Core Policy G of the NYM Core Strategy 2008, amongst other things, states that historic assets will be conserved and that particular protection will be given to the elements of Listed Buildings which contribute to their character and setting. Development Policy 5 advises that only alterations and extensions which would not have an unacceptable impact will be permitted.

National planning guidance contained in the NPPF in relation to Listed Buildings is comprehensive, principally in section 16, Paragraph 194 in particular states: "Any harm to or loss of, the significance of a designated heritage asset (from its alteration or destruction or from development within its setting), should have clear and convincing justification. Substantial harm to or loss of a Grade II Listed Buildings should be exceptional".

The Authority's Historic Buildings Officers have been closely involved in both the enforcement case and this scheme of remedial works. During the course of the enforcement investigation and application process the applicant has indicated that he will ensure the works are actually undertaken to remedy the previous breaches as he wishes to occupy the property as soon as possible. In this instance, it is not considered necessary to impose a condition requiring time frames for completion of the development.

The key elements involve the installation of appropriate fenestration; reinstatement of the external staircase; removal of the unacceptable single storey extension; and the sympathetic conversion of the byre and cart shed. Details in respect of the rebuilding of the external staircase, external fixtures, pointing, door and window finishes are to be subject of conditions for agreement by the Authority. This is to ensure that these elements are restored and

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## Main Issues continued

finished appropriately. The materials including rain water goods, bricks and tiles are to be conditioned to ensure the Listed Building is appropriately conserved.

The Authority's Historic Building Officer's view is that the scheme submitted and subsequently amended twice now represents the best way forward to bringing the building back into a viable historic asset which is consistent with good conservation practice.

The Parish Council has raised several objections to the scheme and has recognised that the scheme has been amended and is favourable to the detail changes in the doors and windows. The Parish Council has confirmed that their original material considerations raised in respect of the privies, bat population and conversion are still outstanding. In that respect they are addressed as follows:

The Authority's Historic Building Officer's view is that the scheme submitted and subsequently amended twice now represents the best way forward to bringing the building back into a viable historic asset which is consistent with good conservation practice.

The Parish Council has raised several objections to the scheme and has recognised that the scheme has been amended and is favourable to the detail changes in the doors and windows. The Parish Council has confirmed that their original material considerations raised in respect of the privies, bat population and conversion are still outstanding. In that respect they are addressed as follows:

The 'privies' include a pair of pig sty's and small utility building attached to the Listed barns adjacent to the rear of the farmhouse. It is understood that the pig sty's were in poor condition and the applicant has undertaken works of repair to maintain the buildings and improve their appearance. It is understood that the small utility building, attached to the north eastern elevation of the pig sty's, was demolished by a heavy goods vehicle used in the theft of a fuel storage container. These matters fall outside the parameters of this application and are being dealt with separately through the enforcement investigation process and further pre-application talks with the applicant which will address the works to the pig sty's and the reinstatement of the small utility building.

The bat population issues have been dealt with as part of the planning applications.

With regard to whether the building will contain one or two dwellings, the amended plans show that the farmhouse and converted byre and cart Shed will remain as one dwelling. The conversion will form 'annexed' family accommodation. At this point in time the Authority is not aware of the land holding being separated from the range of Listed Buildings.

The further final amendments received overcome the Building Conservation Officers objections, other than in relation to window details (width of glazing bars) and it is anticipated that revised plans will be received prior to the Committee Meeting.

On the basis of the above it is considered that the proposed scheme overcomes the enforcement issues with respect to the unauthorised alterations to the farmhouse, byre and cart shed range. The proposed scheme is now sympathetic to the special architectural or historic interest of the building range and represents the most optimum solution to deal with a building that has been subject to unsympathetic and unauthorised works.

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**Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policies E5, E6 and E8 which seeks to conserve or restore built heritage using local materials, styles and building techniques; and to increase the knowledge, awareness and understanding of built heritage.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent**

During the course of the last six months, Officers have worked with the applicant and his Agent to create a scheme of works to restore the character and fabric of this important Listed Building.