

# North York Moors National Park Authority

District: Ryedale District  
Parish: Farndale East

Application No. NYM/2019/0421/FL

**Proposal:** conversion and extension of outbuilding to form estate office with associated parking and landscaping works

**Location:** Church Houses Cottage, Mill Lane, Church Houses, Kirkbymoorside

**Decision Date:** 19 September 2019

**Extended to:** 06 November 2019

## Consultations

**Parish -**

**Highways -** Recommend conditions.

**Environmental Health Officer –**

**Forestry Commission -** Refer to standing advice.

**Police (Traffic) -**

**Site Notice Expiry Date -** 06 September 2019.

## Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. **Standard Three Year Commencement Date**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**

The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan	N/A	20 June 2019
Proposed Elevations & Site Plan PR2	190 522 05	11 October 2019
Proposed Plan & Section PR2	190 522 04	11 October 2019

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.

3. The premises shall not be used other than as **an office** and shall not be used for any other purpose (including any other purpose in Class **B1** of the Schedule to the Town and Country Planning (Use Classes) Order 2010 or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, or within Schedule 2, Part 3, Classes A-V of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order). The premises shall form and shall remain as part of the curtilage of this main dwelling known as Church Houses Cottage as a single planning unit.

4. **External Lighting - Submit Details**

No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

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5. **Roof Tiles to Match Existing**  
The roof tiles utilised in carrying out the development hereby permitted shall match those of the existing building unless otherwise agreed in writing with the Local Planning Authority.
6. The external timber cladding of the building hereby approved shall either be stained dark brown or allowed to weather naturally and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. **Windows and Doors - Timber**  
All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. **Doors - Details of Construction to be Submitted**  
No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. **Detailed Plans of Window Frames Required**  
No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10. **Windows and Doors - Submit Details of Colour/Finish**  
No work shall commence to stain/paint the windows and doors in the development hereby approved until details of the paint colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11. **Conservation Rooflights Only**  
The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
12. **Black Coloured Rainwater Goods**  
The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
13. **Bat Survey Submitted (inserts)**  
The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9 'Mitigation and Compensation' of the submitted Bat Survey dated **July 2019** (received on 25 July 2019).

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**13. Private Access/Verge Crossings: Construction Requirements**

Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

d. The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6(c).

The final surfacing of any private access within one metre of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.

**14. Landscaping Scheme to be Implemented - Conversions/Listed Buildings**

All hard and soft landscape works comprised in the approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

**Informatives**

1.	<p><b>Bats</b></p> <p>All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
2.	<p><b>Coal Referral Area</b></p> <p>The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at <a href="http://www.groundstability.com">www.groundstability.com</a></p>
3.	<p><b>Private Access/Verge Crossings: Construction Requirements</b></p> <p>In relation to condition <b>13</b> 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.</p>

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**Reasons for Conditions**

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
4. In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
5. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that building materials are of a high quality and compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
- 6 to 12. For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.
13. In accordance with NYM Development Policy 23 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
14. In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
15. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.



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**Background**

Church Houses Cottage is located next door to the Feversham Arms Public House in Church Houses; a small cluster of properties in Farndale. The property is a traditional stone under pantile one and a half storey detached dwelling which is orientated so that the gable is facing the road. Almost at a right angle to the cottage is a traditional outbuilding which is also of stone under pantile construction and of a simple linear form comprising two main cells and a small lean-to structure attached to the south facing gable. The west elevation of the building is characterised by one small window, a double-width opening, a single width opening and a small personnel door to the lean-to. The rear (north facing) elevation has one generously proportioned window.

This application seeks full planning permission for the conversion of, extension and alterations to the outbuilding to create an office to serve Farndale Estate. As originally submitted, the scheme proposed a substantial (3.9m) extension to the north gable of the building and of matching height and width to the host building. The extension included two pairs of fully glazed French doors deeply recessed as a method of linking the timber clad extension to the main building. The existing openings were shown to be part glazed with timber cladding below.

The original scheme was considered to exceed the level of extension and alteration that could be supported by the current local planning policies and amendments to reduce the level of extensions together with revised treatment of openings were requested. The applicant and agent responded positively to this request and amended plans which reflect Officer advice have been submitted. The amended scheme proposes a modest rear extension (to the east facing elevation) of lean-to design and timber clad construction. The proposal would extend from the rear of the building by 2 metres and a length of 3.3 metres with an additional 1.3 metres of roof creating a covered boot area. The revisions have also brought about a change in the proposed internal layout so that the main building is used as the Office and meeting room with eth small extension providing a WC and kitchenette. The existing lean-to will be retained as existing storage and boiler house to serve the main cottage. The existing openings will be retained and fully glazed with the larger opening retaining the wooden doors as shutters. 2no. conservation rooflights are proposed for the rear elevation.

**Main Issues**

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Development Policies 8 (Conversion of Traditional Unlisted Rural Buildings) and Development Policy 10 (New Employment and Training Development).

DP8 seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group for an employment use, short term self-catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy where: the building is of architectural or historic importance and makes a positive contribution to the character of the area; is structurally sound; is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions; the proposed use is compatible in nature, scale and levels of activity with the locality; the proposed scheme is of a high quality of design and does not require changes to the buildings curtilage or new vehicular access or parking areas.

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DP10 offers three levels of criteria based on the location of the proposal. For proposals in the open countryside, the re-use of an existing building for employment and training provision will be appropriate where the building is of sound construction and does not require significant alteration or extension to facilitate the proposed use; there is sufficient land and storage space (including parking); the building does not have an adverse impact on the character of the area and there are adequate access arrangements for the proposed use.

The revised proposal is considered to respect the character of the existing building and the reduced size of extension is of a size and scale which is commensurate with the main building. Although the outbuilding is of simple linear form, Officers consider that the re-location of the proposed extension from the gable to the rear is more respectful to the original character and setting of the property. The principle of a lean-to extension is already established by the small store on the south facing gable and modest timber extensions to rural/agricultural outbuildings are relatively commonplace across the National Park. Currently at the rear of the building is an area enclosed by 2m high close barded timber fence panels of a domestic character which is not considered to complement the character or setting of the building. As part of the application, this area is proposed to be improved and landscaped creating 2no. parking spaces enclosed by a mix of native species within a 1.2m high post and rail fence. The existing field access is proposed to serve the office building with the existing cottage access being undisturbed by the proposed office use of the outbuilding.

Although the proposed extension will be visible in views from the east, it is considered to be of a size, scale design and material which is commensurate with the host property and compatible with the local architectural vernacular. The lean-to design has been informed by existing extensions and the timber material chosen for its subservient appearance and connection with traditional extensions to agricultural buildings.

The revised internal layout demonstrates that the host building is of sufficient size to accommodate the proposed office/meeting space use and the modest extension is only required to provide WC facilities. The existing and attractive character of the building is preserved through sensitive treatment of existing opening and retention of existing features.

In terms of the proposed use, it is not expected that the Office (employing two members of staff; 1 full time and 1 part-time) will result in an unacceptable level of activity at the site. Furthermore, the parking areas and a new entrance is located at the rear of the building which will keep any disturbance to future occupiers of the cottage to a minimum.

The Highway Authority has no objection (subject to conditions) to the proposal and no other representations have been made. The Authority's Consultant Ecologist has requested that the method statement included in the bat survey is conditioned as part of any approval and it is also recommended that the office/outbuilding is tied in ownership to the main cottage (but this would not prevent the buildings from being let to separate tenants of Farndale Estate).

**Draft Local Plan**

Policies BL1 (Employment and Training Development) and CO12 (Conversion of Existing Buildings in Open Countryside) would be the relevant policies of the emerging Local Plan, however, at this stage; no weight can be attached to either of these draft policies.

In view of the above, the proposal is considered to be in accordance with the relevant local planning policies and approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.