

## North York Moors National Park Authority

<b>Ryedale District</b> <b>Parish: Rosedale East Side</b>	<b>App No. NYM/2019/0725/FL</b>
--	---------------------------------

**Proposal:** alterations to and change of use of garage to provide facilities for cheese production and additional bedroom/bathroom together with roofing over goat pen and use of land for the siting of 1 no. shepherds hut for holiday letting purposes

**Location:** Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey

**Applicant:** Mr & Mrs Birrell-Gray, Abbey Farm Cottage, Alder Carr Lane, Rosedale Abbey, Pickering, YO18 8SD

**Agent:** Lawrence Hannah, 39 Blossom Street, York, YO24 1AQ

**Date for Decision:** 10 December 2019 **Grid Ref:** 472718 495702

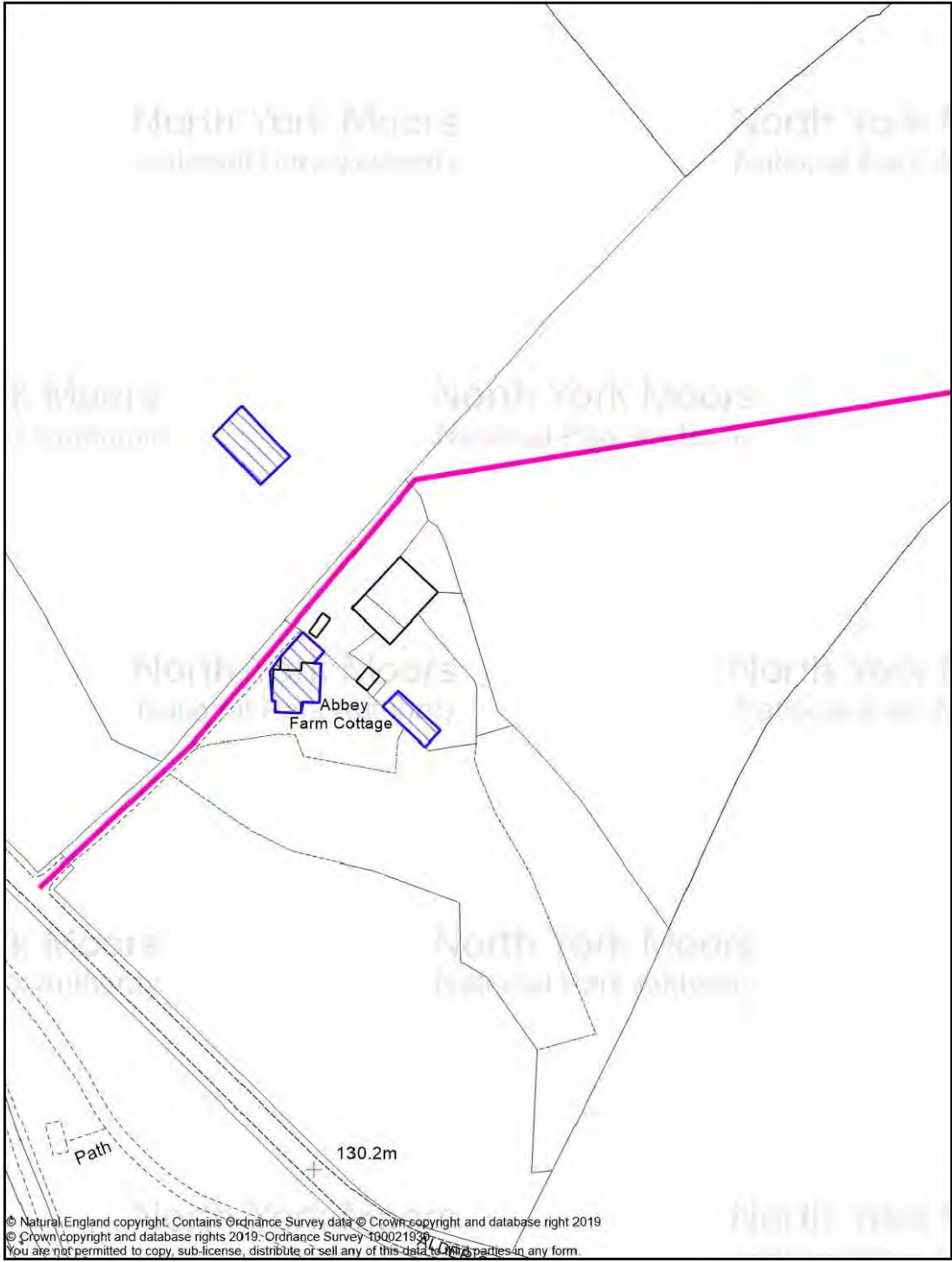
### Director of Planning's Recommendation

**Approval** subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No's Specified
3. RSU011 Use as Holiday Accommodation Only - Outside Villages
4. RSU014 Holiday Unit Not Sold or Leased Separately - Outside Villages
5. MATS03 Stonework to Match
6. MATS15 Natural Clay Pantiles to be Used
7. MATS19 Roof Colouring (dark grey)
8. MATS60 Windows and Doors - Timber
9. MATS56 Conservation Rooflights Only

#### Informatives

1. Adjacent Public Rights of Way
2. The applicant's attention is drawn to condition 11 of the original planning permission for the dwelling (NYM3/107/0011A/PA) which remains valid and must be complied with. It reads as follows:  
The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed on the locality in agriculture, as defined in Section 290(1) of the Town and Country Planning Act 1971 or in forestry (including any dependant of such a person residing with him) or a widow or widower of such a person.
3. Bats
4. Coal Referral Area



© Natural England copyright. Contains Ordnance Survey data © Crown copyright and database right 2019  
 © Crown copyright and database rights 2019. Ordnance Survey 100021938  
 You are not permitted to copy, sub-license, distribute or sell any of this data to any parties in any form.



---

**Application No:** NYM/2019/0725/FL

---

### **Consultations**

**Parish** – Objects on the grounds of accuracy, the retrospective nature of the works already completed and included as request for future permission of development. Concern was also raised as to the development of the property for non-agricultural development of accommodation for learning workshops.

Notes that this should be retrospective regarding the goat house due to the roofing already being in place. The application indicates no request for the additional building of “stables” and in fact a CVC application (NYM/2019/0068/CVC) in February 2019 requests compliance with the agricultural restriction placed reference NYM3/00107/11A/PA 1976 noting in the decision letter that the existing buildings would be of use.

Further investigation into the supporting documentation indicates inconsistency between the documents and the description of development including the need for a further pen when there are a number of existing buildings which could be used.

Clarification is also requested due to the reference of both existing caravans and the shepherds hut referred as to having been on site previously. Concerned also that on the drawings there are a number of areas marked for future installation and development of non-static development; the development of additional holiday let/caravan business would be contrary to the 1976 occupancy condition.

The application includes reference to the reason for the development to include both a teaching facility and also a letting facility; the letting of the room for education purposes and running of the teaching establishment would contravene the 1976 occupancy restrictions on the property.

**Highways** – No objections

**Environmental Health Officer** –

**Yorkshire Water** –

**Natural England** – No objections

**Fire Officer** – No objections/observations

**Advertisement/Site Notice Expiry Date** – 26 November 2019

---

**Application No:** NYM/2019/0725/FL

---

**Background**

Abbey Farm Cottage lies on the north side of Alder Carr Lane on the south east edge of Rosedale Abbey. It comprises the main dwelling, which was granted planning permission in July 1976 as an exception to the normal housing policies applicable at the time to provide accommodation for a farm worker, and as such there is an agricultural occupancy restriction on the property. The current occupants applied to the Authority in February 2019 for confirmation that they complied with the agricultural occupancy condition (condition 11 of NYM3/107/0011A/PA) with their goat rearing business and the Authority gave its approval.

In addition to the main dwelling there is a large agricultural building to the rear along with 8.14 acres of land. The applicant has recently constructed a small covered goat pen in the field to the north of the dwelling and sited a shepherds hut within the yard area to the rear (east), both of which form part of this application.

Planning permission is sought for the conversion of the garage attached to the dwelling to provide an en-suite bedroom to be used as guest accommodation and with a cheese making kitchen to support the applicant's goat rearing business, along with the covered goat pen and shepherds hut (for holiday letting) which are already on the site.

**Main Issues****Policy**

The relevant policies of the adopted Core Strategy and Development Policies Document are considered to be Development Policy 3 (Design), Development Policy 12 (Agriculture), Development Policy 13 (rural Diversification), Development Policy 14 (Tourism and Recreation) and Development Policy 16 (Chalet and Camping Sites).

Development Policy 3 seeks to maintain and enhance the distinctive character of the National park and requires a high standard of design detailing, whether traditional or contemporary, which reflects or complements that of the local vernacular.

Development Policy 12 supports proposals for new agricultural buildings, tracks and structures where there is a functional need for the building and its scale is commensurate with that need; the building is designed for the purposes of agriculture; and the site is related physically and functionally to existing buildings associated with the business unless there are exceptional circumstances relating to agricultural necessity for a more isolated location.

Development Policy 13 supports proposals for the diversification of existing agricultural businesses where the scheme will make use of an existing building; is compatible with the existing farming activity and is of a scale and nature which will not harm the character or appearance of the locality.

Development Policy 14 supports new tourism development where the proposal will provide opportunities for visitors to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a way that conserves and enhances those special qualities; the site can be satisfactorily accessed from the road network; the use will not generate an increased level of activity which would be likely to detract from the experience of visitors and the quality of life of local residents; and it will make use of an existing building.

---

**Application No:** NYM/2019/0725/FL

---

**Main Issues continued**

Development Policy 16 supports proposals for the provision of small scale new caravan, camping and chalet sites only where the site is located within an area of well-established woodland which will enable the proposal to be accommodated within the wider landscape without harming the Park's special qualities; it is physically and functionally linked to an existing business and can be managed appropriately without the requirement for additional permanent residential accommodation; it is in close proximity to the road network and the proposal will not result in an increase in traffic generation that would be harmful to the character of the area or highway safety; the scale of the development and the design of the structures proposed and associated works together with the anticipated levels of activity will not adversely affect the special qualities of the National Park; and the proposal has been designed to minimise the level of permanency so that buildings can be removed when they are no longer required without damage to the natural landscape.

**Principle**

The conversion of the existing garage into guest accommodation and a cheese making kitchen is considered to comply with Development Policies 13 and 14. The proposal makes use of an existing building which, although not a traditional rural building, is constructed in stone and pantile to match the host dwelling and does not detract from the character and appearance of the landscape of this part of the National Park. The cheese making kitchen would directly support the applicant's current goat rearing business, enabling them to make goat's cheese on the premises and supply local businesses. It would also enable them to have small cheese making workshops, with associated guest accommodation. This is a form of small scale farm diversification which would be compatible with the existing farming activity and without harming the character and appearance of the locality as required by Development Policy 13.

With regard to the Parish Council's concerns, the occupancy condition imposed on the main dwelling would not be compromised by this development and would remain applicable and enforceable. The proposed cheese making kitchen and guest accommodation would not compromise the ability to comply with it but instead would supplement the farm income and ensure the long term viability of the farm business.

With regard to the proposed shepherds hut for self-catering holiday letting purposes, its siting within the rear yard area to the property would not comply with criteria 1 of Development Policy 16 in terms of being located within woodland. However in all other aspects the proposal accords with the requirements of Development Policies 14 and 16. The site forms part of the curtilage to Abbey Farm Cottage and whilst not within an area of established woodland, there is a significant degree of mature planting about the site which would help soften the impact of the proposal so as to ensure it does not result in harm to the landscape character of this part of the National Park. Indeed, traditionally shepherds huts would be sited within a field or pasture to tend to grazing sheep and therefore a woodland setting would be to some extent at odds with the character of the accommodation proposed. The proposal will be physically and functionally linked to the existing goat rearing business at Abbey Farm Cottage and be managed from the main property. Furthermore whilst views would be afforded from the PROW to the west, the shepherds hut would be viewed in the context of the existing buildings at Abbey Farm Cottage.

---

**Application No:** NYM/2019/0725/FL

---

**Main Issues continued**

The goat pen satisfies the requirements of Development Policy 12 insofar as there is a functional need to provide the goats with shelter in the field during the winter months, that the small scale nature of the pen is compatible with that need and that the pen is clearly designed for the purposes of agriculture. Whilst it does occupy a slightly isolated position relative to the main dwelling and livestock building, this is not considered to cause undue harm to the landscape of this part of the National Park.

**Design**

The proposed conversion of the existing garage into an en-suite guest bedroom along with a cheese making kitchen has been sensitively designed to preserve the existing functional form and character of the building. It makes the best use of the existing openings and limits the number of new openings to a pair of glazed doors on the driveway elevation (reopening a previously blocked up window) and a pair of conservation rooflights to the rear elevation. As such it is considered that this elevation of the proposal accords with Development Policy 3.

**Conclusion**

On balance it is considered that this proposal to expand the existing goat rearing and goat dairy business is a form of small scale farm diversification which is supported by the adopted policies of the Core Strategy and Development Policies Document. The cheese making kitchen, en-suite guest bedroom and shepherds hut would all support the existing business, supplementing the farm income and ensuring the long term viability of the farm business as supported by Development Policies 13 and 14. The proposed shepherds hut would not be located in woodland as required by Development Policy 16 but would fulfil the aim of that policy being discretely located within the existing curtilage to the farmhouse and screened by mature vegetation and topography. It is therefore considered that the proposed development would improve the quality and variety of tourism product in the National Park and support the diversification of the existing agricultural business whilst conserving the special qualities of the National Park in accordance with Development Policies 3, 12, 13, 14 and 16 of the Core Strategy and Development Policies Document. As such it is recommended for approval.

**Draft Local Plan**

It is considered that the most relevant policies of the emerging Local Plan are UE1 (Small Scale Tourism Development), UE2 (Development of Existing Tourism and Recreational Businesses), BL3 (Rural Diversification) and BL5 (Agricultural Development) which all continue the thrust of the currently adopted policies of the Core Strategy and Development Policy Document. UE1 and UE2 support proposals which utilise an existing building to provide small scale tourism accommodation or new structures such as pods, yurts and shepherds huts, linked to an existing business which would be well screened by existing topography or well established vegetation. BL3 supports the diversification of existing agricultural businesses where an existing building is utilised and the use is compatible with the existing farming activity. UE4 seeks to resist new holiday accommodation within residential curtilages. However no weight can be attached to these policies given the significant objections that have been lodged and could well be changed following the recent Local Plan examination in public.

---

**Application No: NYM/2019/0725/FL**

---

**Contribution to Management Plan Objectives**

Approval is considered likely to help meet Policy B8 which seeks to support the diversification of agricultural enterprises where there is no harm to the National Park's special qualities.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.