

North York Moors National Park Authority

Parish: Rosedale East Side

App No: NYM/2020/0983/FL

Proposal: Conversion of outbuilding to form 1 no. holiday let/residential annexe/local occupancy letting dwelling and campsite reception/shooting party meeting room with kitchen and shower facilities (part retrospective) together with formation of 5 no. hardstanding areas and siting of 1 no. shepherds hut

Location: Low Bell End Farm, Low Bell End, Rosedale East

Applicant: Mr & Mrs P Beecroft, Low Bell End Farm, Low Bell End, Rosedale East, Pickering, YO18 8RE

Agent: Mike Punchard Plan Drawing Service, 9 The Avenue , Norton, Malton, YO17 9EF,

Date for Decision: 08/02/2021

Extended to: 26/02/2021

Director of Planning's Recommendation

Approval subject to the following condition(s):

| 1 | TIME01 | The development hereby permitted shall be commenced before the expiration of three years from the date of this permission. | | | | | | | | | | | | | | | |
|---|--------------|--|----------------------|--------------|-----------|---|------------|-------------|------------------------|----------|-------------|---------------------------|--|-------------|--------------------------|--|------------|
| 2 | PLAN01 | <p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Rec.</th></tr></thead><tbody><tr><td>Proposed Campsite Reception/ Meeting Room & Residential Annexe/ Holiday Cottage</td><td>20-1345-2a</td><td>28 Jan 2021</td></tr><tr><td>Proposed hardstandings</td><td>20-345-3</td><td>28 Jan 2021</td></tr><tr><td>Letter from Mike Punchard</td><td></td><td>28 Jan 2021</td></tr><tr><td>Email from Mike Punchard</td><td></td><td>4 Feb 2021</td></tr></tbody></table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p> | Document Description | Document No. | Date Rec. | Proposed Campsite Reception/ Meeting Room & Residential Annexe/ Holiday Cottage | 20-1345-2a | 28 Jan 2021 | Proposed hardstandings | 20-345-3 | 28 Jan 2021 | Letter from Mike Punchard | | 28 Jan 2021 | Email from Mike Punchard | | 4 Feb 2021 |
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| 3 | RSUO00 | <p>The dwelling unit hereby approved shall not be used for residential purposes other than for short term holiday letting accommodation or long term letting for local needs accommodation.</p> <p>For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.</p> <p>For the purpose of this condition 'local needs accommodation' means the occupation of the dwelling shall be limited to:</p> <ol style="list-style-type: none"> i. a qualifying person; and ii. a wife or husband (or person living as such), licensee, dependant or sub tenant of a qualifying person. <p>For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she has satisfied the Local Planning Authority that he/she was in need of local needs housing in term of the criteria set out in Policy CO13 of the adopted North York Moors Local Plan, namely that he/she is:</p> <ol style="list-style-type: none"> 1. Currently resident in the National Park, having been resident in the Park for at least the previous 3 years; or 2. Currently in employment in the National Park; or 3. Having an essential need to live close to relative(s) who are currently living in the National Park; or 4. Having an essential requirement for substantial support from relatives who are currently living in the National Park; or 5. Former residents whose case for needing to return to the National Park is accepted by the Authority. <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points 1 to 5 above.</p> <p>Note A: For the purpose of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purpose of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions: Allerston; Beadlam; Burniston; East Harlsey; Eberston and Yedingham; Great Ayton; Great and Little Broughton; Great Busby; Guisborough; Irton; Kirkby in Cleveland; Kirkbymoorside; Lockwood; Nawton; Newby; Pickering; Potto; Scalby; Snainton; Sutton under Whitestonecliffe.</p> |
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| 4 | RSUO11 | The shepherds hut hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year. |
| 5 | RSUO00 | The dwelling unit and shepherd's hut hereby permitted shall form and remain part of the curtilage of the main dwelling known as Low Bell End Farm as a single planning unit and shall not be sold or leased separately from the main dwelling or let off, except in accordance with the terms of conditions 3 & 4 above, without a further grant of planning permission from the Local Planning Authority. |
| 6 | GACS07 | 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 Dark Skies compliant fitted with a warm white bulb of 3000k or less and no more than 500 lumens and the lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity. |
| 7 | MATS60 | 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 | MATS61 | 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. |
| 9 | MATS47 | The external face of the frame to all new windows shall be set in a reveal of a minimum of 75mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |
| 10 | MATS54 | Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority. |
| 11 | MATS70 | The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |
| 12 | MATS72 | 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 | MATS74 | All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority. |

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| 14 | HWAY00 | No works shall be undertaken which will create an obstruction, either permanent or temporary, to the Public Right of Way adjacent to the proposed development, and all vehicles parking in association with the use of the development hereby approved shall be clear of the Public Right of Way. |
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Informative(s)

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| 1 | MISCINF02 | <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 immediately to The Coal Authority on 0345 762 6848.</p> <p>Further information is also available on the Coal Authority website at: www.gov.uk/government/organisations/the-coal-authority</p> |
| 2 | MISCINF01 | <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> |
| 3 | MISCINF12 | <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England</p> <p>http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx.</p> <p>Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p> |

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Reason(s) for Condition(s)

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| 1 | TIME01 | To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended. |
| 2 | PLAN00 | For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the National Park. |
| 3 | RSUO00 | The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation and/or long term local needs accommodation has been permitted to ensure that a traditional rural building is conserved in line with Policy CO12. |
| 4 | RSUO00 | The site is in a location where new residential development would be contrary to Strategic Policy M of the North York Moors Local Plan but permission for holiday accommodation has been permitted to provide facilities for visitors in line with Policy UE2 of the Local Plan. |
| 5 | RSUO00 | The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan. |
| 6 | GACS00 | In order to comply with the provisions of NYM Strategic Policy A which seeks to ensure that new development does not detract from the quality of life of local residents and in accordance with Local Plan Policy ENV4 which seeks to protect dark night skies. |
| 7 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |
| 8 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |
| 9 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |
| 10 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |

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| 11 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |
| 12 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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 | MATS00 | For the avoidance of doubt and in order to comply with the provisions of Strategic Policies A and C of the North York Moors Local Plan 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. |
| 14 | HWAY00 | In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of highway safety and the general amenity of the area. |

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Consultations

Parish – No objection to the conversion of outbuilding to form 1 no. holiday let/residential annexe/local occupancy letting dwelling providing that the property will not be subdivided for sale. With regard to the conversion of existing outbuildings to form campsite reception/shooting party meeting room with kitchen and shower facilities (part retrospective), concerns expressed that there was no evidence of consideration regarding disability access to the facility and or parking of non-camping visitors. With regard to the formation of 5 no. hardstanding areas and access drive concerns expressed regarding the increase in traffic and parking facility and the safety elements for the shared access and the existing public “path” that traverses the land in question. No comment made in respect of the relocation and siting of 1 no. shepherds hut for accommodation use.

Highways – No objections.

Environmental Health Officer –

Site Notice/Advertisement Expiry Date – 3 February 2021

Others – Victoria Leat-Smith, Dale View Farm, Low Bell End – express concerns regarding the increased visitor traffic past my property. Access to all properties is via a single private lane courtesy of H D Dale & Sons who own and live at the end of this private lane. We often are disturbed by visitors to Low Bell End Farm who are lost and ask for directions due to the lack of signage off the main road. The private lane was designed to manage the small amount of traffic that eight residents create but the increase in traffic has produced problems with caravans, motorhomes, horse boxes etc. blocking the lane, which is narrow with no passing places. This is a health and safety issue with vehicles meeting other vehicles, users of the PROW and children playing. I am fully in support of diversification in Rosedale but the current and proposed development at Low Bell End Farm does not take into account the current and proposed impact it will have on its neighbours.

Mr Trevor & Malcolm Dale of H D Dale & Sons, Sycamores Farm - As owners of the farm lane from Daleside Road to the entrance of Low Bell End Farm, over which the Beecrofts have a permitted right of way, we object strongly to the increase in traffic as well as use by larger and heavier motorhomes. Our lane is also a public footpath which is heavily used all year round so there is a health and safety factor involved. With all their previous planning projects has come an extra load on the lane yet there is no obligation to contribute towards the upkeep of the lane. Since the Beecrofts moved into Low Bell End Farm in April 2007 they have developed a campsite, sited a shepherds hut (with or without planning), built a manege and stabling facilities for livery, converted a building into a bunk house and split the farm house into two dwellings. They have also developed a very successful game shoot which also adds extra traffic to the lane. This all puts extra load and potential dangers onto the private lane/footpath where there are children and people exercising dogs frequently.

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Background

Low Bell End Farm lies approx. 1.3 km to the northwest of Rosedale Abbey on the south side of Daleside Road. It comprises the main farmhouse, a range of traditional stone outbuildings and a number of more modern agricultural sheds. The farm is located within a small cluster of residential properties along with another farm.

Planning permission is sought for a number of developments some of which have been started or completed and as such the application is part retrospective.

Firstly permission is sought for the conversion of the two-storey part of the traditional stone outbuilding to form a one bedroom residential unit of use as either short term holiday letting accommodation or for longer term letting for those with a local connection. Works have started on this but have not been completed. Permission is also sought for the conversion of the single storey element of the outbuildings into a camp-site reception and shooting party meeting room with toilet and shower facilities. This has been completed and is in use and as such the application is retrospective in this regard.

With regard to the campsite operated from the farm, planning permission is sought for the installation of five gravelled hardstanding pitches for use as part of the Certificated Location granted to the farm. It is also proposed to provide a gravelled access track from the field gateway to serve these pitches. These pitches are not in addition to the current five allowed under the exemption but the applicant indicates that owners of motorhomes and caravans increasingly want a hardstanding on which to pitch their vehicle.

Finally permission is sought for the siting of a shepherds hut within the campsite field. There is one at present located at the eastern end sited on a timber decked area with a hot tub and enclosed by a timber fence. This is unauthorised and in seeking to regularise the use the applicant has agreed to re-site the shepherds hut to a better screened location at the western end of the field where it will be sited on a gravelled hardstanding with a timber screen fence to the north side.

There have been a number of planning permissions granted in recent years for the creation of a wildlife pond; the conversion of stone workshop to camping barn; the conversion of stone barn to annexe accommodation along with the provision of shower/toilet facilities in association with the camp site (not implemented and now lapsed). Most recently planning permission has been granted and implemented for the construction of a horse exercise area on the site of some run-down agricultural buildings along with the erection of a replacement general purpose agricultural shed and the change of use of part of the existing building for stabling in association with the applicant's proposed livery business providing respite care for horses following injury or illness.

Main Issues

The relevant policies of the adopted Local Plan are considered to be Strategic Policy J (Tourism and Recreation), Policy UE1 (Location of Tourism and Recreation Development), Policy UE2 (Camping, Glamping, Caravans and Cabins), Policy CO12 (Conversion of

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Existing Buildings Open Countryside) and Policy CO13 (Local Connection Criteria for Local Needs Housing).

Policy CO12 support the conversion of those buildings which are of architectural or historic interest and make a positive contribution to the landscape of the National park into a variety of uses including holiday accommodation, permanent residential use for local occupancy and tourism facilities subject to a number of criteria. The traditional stone outbuilding has already undergone a scheme of works to bring it into habitable condition and indeed is already in use as a camp-site reception and meeting room for shot parties, with the dwelling unit partially completed. The building is structurally sound and has been converted without the need for significant alterations or any extension. Good use has been made of existing openings with a limited number of conservation style rooflights inserted. It is considered that the conversion is of a high quality design which retains existing features which contribute to the character of the building. As such it is considered that the proposed use and scheme of conversion are acceptable under Policies UE2 and CO12 and conditions are recommended restricting the use of the dwelling unit to short term holiday letting accommodation or long term residential accommodation for those satisfying the local connection criteria set out in Policy CO13.

The campsite operates as a Certificated Location for an exempt organisation and there is no proposal to alter that. The proposed gravelled access drive and pitches are in response to a change in the nature of the users of the site with more motorhomes and caravans requiring hardstanding particularly as the field can become waterlogged during the winter months. It is not considered that the gravelled access and pitches would harm the landscape setting of Low Bell End Farm as they would be viewed from across the valley and from the adjacent PROW in the context of the existing buildings and hard surfacing around the farm.

With regard to the shepherd's hut, there is no consent for the siting of the existing one and as such this is unauthorised. In seeking to regularise the situation the applicants have agreed to relocate it closer to the existing buildings associated with Low Bell End Farm where it is considered it would be less prominent in the wider landscape. Policy UE2 supports proposals for small scale holiday accommodation such as this where they are screened by existing topography, buildings or well-established vegetation. The campsite field is open to the south providing views of the dale and as such is not well screened. However in the revised position the shepherds hut would be located alongside the large modern farm sheds and in front of the traditional stone outbuildings such that when viewed from across the valley it would not be unduly prominent and would be seen in the context of the existing buildings and structures of the farm. As such it is considered that the proposed shepherds hut complies with Policy UE2.

With regard to the objection from the owner of the access lane regarding the cumulative impact of tourism development at the farm which has overloaded the road and the applicants, who have a right of access over it, are not legally obliged to pay towards its upkeep, this is a civil matter to be resolved between the parties concerned.

In respect of the concerns regarding noise and disturbance to local residents, the campsite is already in existence having been approved as a Certificated Location by an exempt organisation and the proposed development would not alter that. There is a one-bedroom

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camping barn already in existence and the proposal for a shepherds hut and a one-bedroom holiday let/residential annexe/local occupancy dwelling will not result in a significant increase in traffic to and from the site, nor noise and activity about the site. The shooting parties are already held from the site and the conversion of the small outbuilding into a campsite reception/shooting party meeting room is also unlikely to result in additional traffic, noise or activity attracted to and about the site.

In view of the above it is considered that the development included within the application (retrospective and proposed) complies with Strategic Policy J, Policy UE1, Policy UE2 and Policy CO12 of the Local plan and approval is recommended.

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.