

North York Moors National Park Authority

Delegated decision report

Application number
NYM/2020/0360/FL

Development description
Conversion of existing redundant agricultural buildings to either 2 no. holiday letting cottages or annexes with associated parking and landscaping works

Site address
Home Farm, Dunsley Lane, Dunsley,

Parish
Newholm-Cum-Dunsley

Case officer
Mrs Ailsa Teasdale

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text												
1	TIME01	<p>Standard Three Year Commencement Date</p> <p>The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.</p>												
2	PLAN01	<p>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</p> <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 Received</th></tr></thead><tbody><tr><td>Floor Plans as Proposed</td><td>2427: 4A</td><td>29 September 2020</td></tr><tr><td>Proposed Elevations</td><td>2427: 5A</td><td>29 September 2020</td></tr><tr><td>Site Layout as proposed</td><td>2427: 6A</td><td>29 September 2020</td></tr></tbody></table>	Document Description	Document No.	Date Received	Floor Plans as Proposed	2427: 4A	29 September 2020	Proposed Elevations	2427: 5A	29 September 2020	Site Layout as proposed	2427: 6A	29 September 2020
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Document title

		or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	RSU000	The accommodation units hereby approved shall not be occupied as separate independent dwellings and shall remain ancillary to the use of the main dwelling known as Home Farm, Dunsley Lane, 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 or for 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.
4	GACS07	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.
5	CDLB05A	Conversions - Extent of Rebuilding/Repair Work (inserts) This permission has been granted in accordance with the details specified in the survey prepared by AL Turner + Associates received on 8 July 2020. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
6	MATS04	Stonework and Roofing Tiles to Match All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
7	MATS00	No work shall commence on the installation of any windows or doors (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames and doors 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 and doors 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.
8	MATS00	All new doors, window frames and glazing bars shall be of timber construction and coloured dark grey within six months of the date of installation and shall be maintained in that condition in perpetuity.
9	MATS47	Window Frames in Reveals - Specify Set Back (insert) The external face of the frame to all new windows shall be set in a reveal of a minimum of 100mm 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	MATS70	Guttering Fixed by Gutter Spikes 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.
11	MATS74	Flues to be Coloured Matt Black 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.
12	ARCH00	No ground works shall take place on site until the applicant has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority. A report of the findings shall be submitted to the HER within 6 months of the completion of ground works.
13	MISC02	Bat Survey Submitted The development hereby permitted shall be carried out in accordance with the conclusion and recommendations set out in

		sections 5 and 6 of the submitted Bat Survey dated June 2021.
14	MISC00	As there will be some loss of potential nesting/roosting habitat in the area as a result of the development of the buildings, at least 30 days prior to works commencing there shall be some enhancement of the site to include, a long lasting bat box, a long lasting bird box to be attached to the building post development and the siting of a permanent internal barn owl nesting box. The next box should be a deep nest box suitable for installation inside a barn or other building. These boxes should be installed in the location close to the proposed conversion considered suitable by an Ecologist and details of the proposed works shall be supplied to the planning Authority before works commence on the conversion.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2	PLAN01	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 NYM Local Plan, which seek to conserve and enhance the special qualities of the NYM National Park.
3	RSU000	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 annexe or holiday accommodation has been permitted in accordance with Policies CO17 and UE4 and to ensure that a traditional rural building is conserved in line with Policy CO12.
4	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.
5	CDLB02	In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of Strategic Policy I and Policy ENV11 of the North York Moors Local Plan.
6	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 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.
7-11	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	ARCH00	In order that any remains of archaeological importance can be adequately investigated and recorded before any development takes place on the site and to comply with Strategic Policy I and Policy and Policy ENV10 of the North York Moors Local Plan which seeks to conserve and enhance the historic assets and cultural heritage of the National Park.
13 & 14	MISC00	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.

Informative(s)

Informative number	Informative code	Informative text
1	MISCINF12	<p>Birds</p> <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 http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. 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>

Consultation responses

Parish

No objections

Highways

The proposals are not expected to have any significant impact on the public highway. Consequently there are no local highway authority objections to the proposed development.

Forestry Commission

Standing advice with regard to ancient trees (unaffected)

Environmental Health

No objections to the application on housing or environmental health grounds.

Publicity expiry

2 July 2021



Courtyard elevation of Unit 1



Courtyard elevations Unit 2



View of barn from the roadside

Background

Home Farm is located in the centre of Dunsley village. This application is for the conversion of two barns arranged in an L shape to the front of farm house into accommodation. The applicant has requested that the buildings could be used as either holiday accommodation or annexed accommodation. There is no previous planning history in connection with these barns.

Unit 1 has two bedrooms and includes the rebuilding of a small lean-to area at the North end of the building. Unit 2 will be a single bedroom unit. Car Parking is proposed adjacent to the properties and the surrounding grassed areas will be open curtilage areas.

Both proposed units make good use of the existing archway openings and the design detailing of these has been altered during the processing of the application.

The application was accompanied by a Bat Scoping Survey and Structural survey, however the application was not able to progress towards determination until a Bat emergence survey had been under taken. This has now taken place and there was no evidence found of bats using the buildings proposed for conversion.

Main issues

The application site is located within the curtilage of the main farm house and farm buildings and as such does not have any significant impact on the rest of the village or any neighbouring properties. The main issues are therefore whether the proposed design of the units is appropriate for setting and whether the scheme can be executed without having a detrimental impact on historic setting and surrounding wildlife.

Local Plan

Policy CO12 - Conversion of Existing Buildings in Open Countryside states that the conversion of existing buildings in Open Countryside for holiday accommodation will only be permitted where the building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park; the building is structurally sound and capable of conversion without substantial rebuilding, as demonstrated by a qualified structural engineer's report; the building is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings; the building has reasonable access to necessary infrastructure, services and facilities; the proposal is of a high quality design that reflects the form and character of the building and provides for essential functional requirements without unacceptable harm to the fabric of the building or its setting. The design should retain existing external features which contribute significantly to the character of the building including original openings and roofing materials; the proposed use does not lead to changes, for example, in the building's curtilage or in relation to any new vehicular access or parking area that would adversely affect the character and appearance of the

building or the surrounding landscape; the building is located within an existing group of buildings that have a close physical and visual relationship to each other; and the proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings.

Policy CO18 - Residential Annexes states that residential annexes will only be permitted where the development is located within the domestic curtilage and is ancillary to the main dwelling in terms of its scale, specification and proposed use; a clear functional need for the ancillary accommodation is demonstrated.

Discussion

The site lies close to HER 1246, the remains of a non-designated medieval chapel, and within HER 4666, an entry for the medieval village of Dunsley. The village is mentioned in Domesday so presumably predates the Conquest, giving the potential for important medieval stratigraphy and finds. This is further supported by HER 4667 just to the east of the site, a record of medieval pottery discovered in a now destroyed earthwork on the edge of the village. The site lies on a bank of some depth above the road, and so there is still the potential for archaeological information in there below any recent farming activity. Due to this fact a condition requiring an archaeological watching brief on the groundworks for any new soakaways, drainage and bio-digester has been proposed. This should include a requirement for a Written Scheme of Investigation approved by a National Park archaeologist, and for a report to be submitted to the HER.

The buildings to be converted are of sound and solid construction and the proposed scheme maintains the largely blank elevation to the village, however there will be one existing doorway on both units on the external elevation. The main focus of the fenestration of each of the units will be on the courtyard side facing the farmhouse. The design of the openings has been amended through the processing of the application to allow more light into the units and to better conform with the Authority's Design Guide. Now this has been done the scheme proposed is considered to be worthy of support. A section of the barn closest to the main house will be retained for external storage which is welcomed.

The Preliminary Ecological Appraisal, carried out by JP Environmental and dated June 2020, submitted with this application demonstrated that there is a low potential for bat roosts within the buildings to be converted, along with numerous, although disused nests, and potential for barn owl although no noted presence. Due to these findings a further a bat activity survey had to be carried out to demonstrate that no bat roosts were believed to be present.

Bird nests are present within the building, and therefore works on the buildings should commence outwith of the bird breeding season (March – Aug inclusive) unless checked immediately prior (within 48 hours) by a qualified ecologist. Any active bird nests must be left undisturbed until chicks fledge and the nest abandoned. Whilst many of the species noted are common and readily nest in a range of habitats, swallows are

particularly detrimentally affected by the conversion of traditional outbuildings as the range of potential nest sites in the area is reduced. Barn Owl are not considered to be present, but the buildings are noted as being of good suitability to future use by this species and presence is recorded within the surrounding area. Sections 5 and 6 of the second Bat Survey have been conditioned which cover Bats, Birds and Barn Owls. A condition has also been added which requires a barn owl box to be erected in a suitable location on the farm to provide potential roosting/nesting habitat for this species given the loss of the buildings as potential future nest sites.

No adverse consultee comments and no third party comments have been received in relation to the application.

The proposal is now considered to be in line with the requirements of Policy CO12 and the use of the buildings for either holiday use or as annexed accommodation for a family member is considered to be appropriate and it has been demonstrated that the works can take place without having a detrimental impact on the bat and bird population in the area and therefore the application is recommended for approval.

Prior to commencement conditions

Condition 14 is a prior to commencement conditions covering replacement habitat for bats, birds and owls and has been agreed in writing with the agent.

Explanation of how the Authority has worked positively with the applicant/agent

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the fenestration details of the proposal, so as to deliver sustainable development.