

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0758/FL

Development description: removal of Dutch barn and conversion of remaining building to 1 no. principal residence dwelling (Barn A) with parking and removal of timber pole sheds and conversion of remaining building to 1 no. holiday cottage (Barn B) with parking

Site address: Foss Farm, Foss Lane, Nr Midge Hall, Sneaton,

Parish: Sneaton

Case officer: Mrs Hilary Saunders

Applicant: Mr I and Mrs E Forster
Moor House Farm, Lousy Hill Lane, Littlebeck, Whitby, YO22 5JB

Agent: Cheryl Ward Planning
24 Westfield Mews, Kirkbymoorside, York, YO62 6BA,

Director of Planning's Recommendation

Refusal for the following reason(s)

Reason(s) for refusal

Refusal reason code	Refusal reason text
	The proposal is considered to constitute sporadic development in the open countryside and be contrary to Strategic Policy B and Policy CO12 of the NYM Local Plan and Part 4 of the Design Guide (Supplementary Planning Document) due to: lack of a demonstrated essential need for an agricultural or rural worker, the absence of an existing residential unit at the site, proposed principal residence occupancy, lack of structural survey relating to the proposed permanent dwelling, excessive number of rooflights and inadequate infrastructure leading to conflict with the use of the public bridleway. The proposed development is therefore considered to be unsustainable and harmful to the special qualities of the North York Moors National Park.

Consultation responses

Parish

Highways

In assessing the submitted proposals and reaching its recommendation the Local Highway Authority has taken into account the following matters:

The vehicular access route to this location comprises of:

Publicly maintainable highway to Newton House Lodge; Single width bridleway, reasonably well maintained, available for the public to use to the car park; Less well maintained bridleway, has been signed as no public vehicle access and includes a crossing of May Beck.

The size of the development is not anticipated to significantly increase the number of vehicles along the route as far as the car park compared with the amount that already use it. Beyond the car park, the amount of current vehicles using the bridleway is expected to be low so that the chances of one vehicle meeting another is minimal.

On the condition that the properties will remain ancillary to the main land owner and that vehicular permission is permitted along the bridleway, there are no highway objections.

Environmental Health

26 October 2021 - I refer to your e-mail of the 26th and the additional information provided in respect of the above application. I am satisfied that the proposed works will fully address my concerns regarding fire safety.

4 October 2021 - No objections in principle but the proposed layout of barn A includes an open plan staircase to the first floor. This compromises the escape route from the first floor in the event of a fire as residents would have to pass through a high risk room to escape. This issue can be mitigated by making the bedroom windows in the gables escape windows giving the residents a second means of escape.

Third party responses

None

Publicity expiry

Site notice expiry date - 8 November 2021

Red circles identifies site of barns and demonstrates isolation. Green line shows bridleway running past the site and pink line shows public footpaths



View of agricultural buildings as approach along bridleway from Falling Foss



View of agricultural buildings as view form public footpath to the south



Modern agricultural building sited between the two buildings proposed for conversion.



Background

The agricultural buildings to which this application relates are located in an isolated and remote location approximately 2km from the B1416 and 450m to the southwest of Falling Foss Tea Rooms and accessed along a narrow Forestry Commission owned track which is also a public bridleway.

The land and buildings are used for agricultural purposes in association with the main farm unit (with farmhouse) approximately 2km to the north.

The site comprises two modest traditional stone and pantile/corrugated sheeting agricultural buildings, along with two modern agricultural buildings. There is no residential unit on site, although there once was a farmhouse here, which apparently was last lived in in the 1960's and then fell into disrepair and then was subsequently completely demolished and the stone sold in the early 1980s when the site was owned by the Forestry Commission.

This application seeks planning permission to convert the western stone and corrugated sheet roof into a single storey 2 bed holiday cottage and to convert the eastern stone and pantile building into a two bed principal residence dwelling.

A structural survey has been submitted but this relates only to the proposed holiday cottage; a structural survey has not been submitted which relates to the proposed principal residence dwelling.

In terms of proposed alterations, whilst the majority of existing openings would be utilised, nine rooflights are proposed in the eastern building.

Main issues

Local Plan

Strategic Policy B (The Spatial Strategy) sets out that in the Open Countryside, development will only be permitted where it reuses a building of architectural or historic interest in accordance with Policy CO12 (Conversion of Existing Buildings in Open Countryside); where there is an essential need for development to meet the needs of farming, forestry and other rural enterprise or land management activities; where it is essential to meet social or community needs and there are no other suitable and available locations within villages; where it meets the requirements set out at Policy UE2 (Camping, Glamping, Caravans and Cabins); where development proposals are part of a Whole Estate Plan that has been approved by the National Park Authority.

Policy CO12 (Conversion of Existing Buildings in Open Countryside) (accompanied by Design Guide, Part 4: The Reuse of Traditional Rural Buildings) seeks to permit development only where the building is of architectural or historic interest and makes a positive contribution to the landscape and special qualities of the National Park; is structurally sound and capable of conversion without substantial rebuilding, is appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings; has reasonable access to necessary infrastructure, services and facilities; is of a high quality design retaining existing external features which contribute significantly to the character of the building including original openings and roofing materials; does

not lead to changes 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; 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.

New uses for rural buildings that may be permitted under this policy include; essential agricultural/forestry/rural workers, and holiday accommodation or permanent local occupancy residential use, only where there is an existing residential unit within the group of buildings.

It is further explained that not every building will be considered suitable for conversion and also there can be sustainability implications with proposals for permanent residential use in very remote locations, and it may be appropriate to accept the building falling into disrepair and eventually being lost. It may also be the case that allowing conversion to new residential use may result in the introduction of new openings, domestic paraphernalia, structures and extended curtilages would have an unacceptable landscape impact.

Design Guide, Part 4: The Reuse of Traditional Rural Buildings – sets out that applications for planning permission will need to be supported by a structural survey and accompanying condition report obtained from a suitably qualified professional to demonstrate the building is structurally sound and suitable for conversion. It is also explained within this Supplementary Planning Document that the biggest threat to the roofscape is the demand for daylight into converted upper-floors and roof spaces and that rooflights are not traditional features which can significantly harm the appearance and simple character of a traditional rural building.

Material Considerations

The proposal is considered to be contrary to the fundamental principles of Strategic Policy B and Policy CO12 (Conversion of Existing Buildings in Open Countryside), as well as the design considerations of both Policy CO12 and Part 4 of the Design Guide.

Criteria B clearly states that in order to avoid sporadic development in isolated locations, residential conversions are only acceptable where there is an existing residential unit within the group of buildings and that in the case of permanent residential accommodation a local connection condition will be applied.

In this case, not only is there no existing residential unit on this isolated site, but also a principal residence dwelling is proposed, not a Local Occupancy Dwelling. Neither is there a demonstrated essential agricultural or rural worker need. This is contrary to both Policy CO12 and Strategic Policy B of the Local Plan.

Furthermore, whilst generally good use would be made of existing openings, nine rooflights would be inserted into the roof of the proposed permanent dwelling, which would have a significant detrimental impact on the appearance of the building contrary to Policy CO12 and Part 4 of the Design Guide.

In terms of access to the site, whilst the Highway Authority have not objected to the proposals, it is only a public road from the B1416 up until Newton House Lodge (just over 1km to the north), it is

then in private ownership for a short stretch before it then enters Forestry England ownership, just past the entrance to Newton House Farm. The road then remains within Forestry England owned land, narrowing to single track only as it continues past the car park, down over the old bridge before continuing up the hill along the boundary field fence until Forestry England ownership comes to an end at the Foss Farm buildings. The route is also designated as a public bridleway once it is past the initial public road section.

Rights of access to the proposed development may not be possible, but this is not a material planning consideration (although in practical terms it may prevent the development being operational).

The National Park Ranger has expressed concerns that the proposal is close to Public Bridleway 33 Sneaton, Public Footpath 35 Sneaton and Public Footpath 31 Sneaton as well as the bridleway, although only the bridleway is mentioned in the proposal and it is not clear if there are plans for upgrading the rough track/ bridleway for car access. There are also concerns about the narrowness of the track/ bridleway from the first gate to the farm as there is not enough room for a car and horse to pass and a deep ditch to one side.

Measures would also need to put in place to ensure cars do not park on the bridleway and obstruct it.

In view of these concerns it is considered that the proposal would also be contrary to Policy CO12 which requires buildings to have reasonable access to necessary infrastructure. Explanation of how the Authority has worked positively with the applicant/agent

Conclusion

In view of the above considerations the proposal is considered to be contrary to Strategic Policy B, Policy CO12 and Part 4 of the Design Guide and therefore refusal is recommended.

Refusal (No Amendments Requested/Departure from Development Plan)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and concluded that the scheme represents a form of development so far removed from the vision of the sustainable development supported in the Development Plan that no changes could be negotiated to render the scheme acceptable and thus no changes were requested.