

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0832/FL

Development description: conversion of agricultural barns to 3 no. principal residence dwellings with associated amenity spaces, landscaping works and parking, use of and alterations to 2 no. barns for storage and parking and creation of parking associated with Red House Farm

Site address: Red Farm Barns, High Street, Egton

Parish: Egton

Case officer: Mrs Hilary Saunders

Applicant: The Mulgrave Estate

fao: Mr Robert Childerhouse, Estate Office, Lythe, Whitby, YO21 3RJ

Agent: John Long Planning Ltd

45 The Street, Surlingham, Norwich, NR14 7AJ, Norfolk

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text																											
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 Received</th></tr></thead><tbody><tr><td>Site Plan as Proposed</td><td>4000 - 3P Rev 1</td><td>18/10/2021</td></tr><tr><td>Plot 1 Ground floor proposed</td><td>2001- P</td><td>18/10/2021</td></tr><tr><td>Plot 2 Ground floor proposed</td><td>2002- P</td><td>18/10/2021</td></tr><tr><td>Plot 3 Ground and floor proposed</td><td>2002- P</td><td>18/10/2021</td></tr><tr><td>Barn 3 & 4 Ground floor proposed</td><td>2004-3P</td><td>18/10/2021</td></tr><tr><td>Plot1 Sections S6 &S8 proposed</td><td>1100 P</td><td>18/10/2021</td></tr><tr><td>Plot2 Sections S10 &S17 proposed</td><td>1101 P</td><td>18/10/2021</td></tr><tr><td>Plot3 Sections S13 &S15</td><td>1101 P</td><td>18/10/2021</td></tr></tbody></table>	Document Description	Document No.	Date Received	Site Plan as Proposed	4000 - 3P Rev 1	18/10/2021	Plot 1 Ground floor proposed	2001- P	18/10/2021	Plot 2 Ground floor proposed	2002- P	18/10/2021	Plot 3 Ground and floor proposed	2002- P	18/10/2021	Barn 3 & 4 Ground floor proposed	2004-3P	18/10/2021	Plot1 Sections S6 &S8 proposed	1100 P	18/10/2021	Plot2 Sections S10 &S17 proposed	1101 P	18/10/2021	Plot3 Sections S13 &S15	1101 P	18/10/2021
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		<p>Elevations 2 & 4 proposed 2200 3P 18/10/2021</p> <p>Elevations 1 & 3 proposed 2201 3P 18/10/2021</p> <p>Elevations 7 & 8 proposed 2203 3P 18/10/2021</p> <p>Elevations 9,10,11 & 12 proposed 2204 P 18/10/2021</p> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>
3	RSU000	<p>The application properties hereby permitted, shall be used as principal residential dwellings and for no other purpose including any other use in Class C3 of the Schedule to the Town and Country Planning (Use Classes) Order 2020 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). The property shall be the only or principal home of the main occupant and it shall be occupied by the main occupant for at least 80% of the calendar year in the event that the main occupant occupies more than one property. The property shall not be occupied by the main occupant as a second home. The occupants shall supply to the local planning authority (within 14 days of the local planning authority's request to do so) such information as the local planning authority may reasonably require in order to determine compliance with this condition. For the avoidance of doubt the property shall not be used as a single unit of holiday letting accommodation.</p>
4	WPDR01	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.</p>
5	GACS00	<p>No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be of a style and luminance which minimises glare and light pollution. All bulbs should be shielded to prevent upward and minimise horizontal light spill and all lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.</p>

6	CDLB05A	This permission has been granted in accordance with the details specified in the survey prepared by Close, Granger, Gray and Wilkin received on 18/10/2021. 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.
7	MATS03	All new stonework used in the development hereby permitted shall match that of the existing building including the colour and texture of the stone and the method of coursing and pointing unless otherwise agreed with the Local Planning Authority.
8	MATS15	The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9	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.
10	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.
11	MATS71	All rainwater goods shall be black painted cast iron and thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing by the Local Planning Authority.
12	MATS73	No work shall commence on the installation of any external fixtures to the building to which this permission relates until details of all external fixtures have been submitted to and approved in writing by the Local Planning Authority. The details should include for provision for any exterior lighting, meter boxes, signage, wall or roof flues, television antennae and satellite dishes that may be proposed to be installed. The external fixtures shall be installed wholly in accordance with the approved details.

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.
14	DRGE00	No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage, for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority.
15	MISC00	At least one bat activity survey is to be undertaken of all buildings to be developed within the optimum time of year for detecting peak activity (mid-May to mid-August inclusive) to confirm absence of bats, or where appropriate confirm the location and number of roosts, prior to works commencing on any building.
16	MISC00	A copy of the European Protected Species Licence (once obtained) along with any conditions, appendices and supporting additional survey information is to be provided to the Authority and acknowledged in writing prior to the commencement of any works covered under that licence.
17	MISC00	All work must be in accordance with Section 9 of the Bat, Breeding Bird and Barn Owl survey by MAB Environment and Ecology, dated October 2021, and the additional information in the letter from the same company dated 6 December 2021, detailing the mitigation actions required at the site covering bats, breeding birds, swallow nest sites and barn owl roosts.
18	LNDS00	None of the hedgerow along the boundaries of the site shall be felled, uprooted, wilfully damaged or destroyed, cut back or removed without the prior written consent of the Local Planning Authority. Any work approved shall be carried out in accordance with British Standard 3998:2010 Tree Work – Recommendations. If any retained tree/hedge is removed, uprooted, destroyed or dies within five years of the completion of the development, it shall be replaced with trees, shrubs or hedge plants of a similar size and species, unless the Local Planning Authority gives written consent to any variation.

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	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	RSU000	In order to comply with NYM Local Plan Policy CO7 which seeks to restrict the occupancy of new residential development to those people who will make the property their principal residency and thus contribute to the sustainability of the local community.
4	WPDR00	In order to enable the Local Planning Authority to retain control over future alterations to the property in the interests of safeguarding the existing form and character of the building in line with Strategic Policies A and C of the North York Moors Local Plan, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development.
5	GACS00	In order to comply with the provisions of Strategic Policy A and ENV4 of the North York Moors Local Plan which seeks to ensure that new development does not detract from the quality of life of local residents or the character of the locality, and so that development helps maintain the National Park's status as an international dark sky reserve.
6	CDLB00	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.
7&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 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.
9-13	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	DRGE00	To avoid pollution of watercourses and to comply with the provisions of Policy ENV7 of the North York Moors Local Plan, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
15-17	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.
18	LNDS00	In order to comply with the provisions of Policy ENV1 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	MISCINF01	<p>Bats</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	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</p>

		<p>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>
3	INFO0	<p>Swift (<i>Apus apus</i>) populations are declining in the UK due to the loss of nest sites in roof spaces as old buildings are renovated or demolished. Swifts occupy nest sites between May and August, making little noise and causing no mess or smell. Swift populations can be supported by the inclusion of simple and affordable measures during building construction or renovation, such as purpose-made 'swift bricks' or the creation of small loft voids. Guidance can be found on the Swift Conservation website; https://www.swift-conservation.org/ with additional swift box ideas from Action for Swifts; http://actionforswifts.blogspot.com/search/label/nestbox%20design</p>
4	INF06	<p>Development in Accordance with Listed Building consent</p> <p>Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the Listed Building consent.</p>

Consultation responses

Parish

Concerns with the extent of the proposed works as it is a listed building in a conservation area. There were concerns that it may not meet the national living standards. There were also concerns raised with the change of use and with them becoming holiday homes.

Highways

No objections. The amount of proposed parking areas would be expected to be sufficient for the proposed development. It is noted that the lay by and grassed area between the High Street carriageway and the buildings is maintainable highway at public expense (MH@PE). The drive from the carriageway to the gate is also MH@PE

but it should be noted that the Highway Authority have no current plans to improve the surface of the drive.

Yorkshire Water

No objection subject to conditions regarding drainage.

Environmental Health

No objections

Third party responses

Name

Mr John McAndrew, Bugle Cottage, Egton - We strongly oppose this application for the barn conversions. The area the farm is located in is already blighted with a ridiculous amount of parking and traffic. The exit from the farm is already hazardous and the addition of several more cars will make things even worse. The traffic pinch points at the top of the village and by the doctors are already unacceptable for such a so called rural location.

We hope that the necessary traffic survey will be undertaken before any final decisions are made.

Egton's infrastructure is very old, has consideration been given to the impact on the sewer pipes; the additional throughput will place extra pressure on what we understand to be limited current capacity.

Although it's non planning issue we feel the existence of a farm in the middle of the village adds massively to Egton's character. The addition of 3 more very expensive barn conversions doesn't do anything for the village or its residents.

Publicity expiry

Site notice expiry date – 29 December 2021

Roadside view of Red Barns



View of access out to main road from within the site



View from within middle of site of buildings proposed for conversion.



Background

Red House Farm is a former working farm located in the centre of Egton Conservation Area, opposite the Doctors surgery and village hall. The complex comprises a traditional range of primarily single storey stone and pantile barns which are Grade II Listed.

This application seeks full planning permission for the conversion of these agricultural barns to create 3 principal residence dwellings with varying size gardens along with the alterations to 2 barns to provide storage and parking. One of the resultant dwellings would be a 3 bed unit and the other two would be 2 bed units. A modest raising of the roof is proposed in order to allow for the existing roof structure to be maintained and better insulated.

In addition to garaging, on site car parking would also be provided, including to serve the existing farmhouse.

Main issues

Local Plan

Strategic Policy M - Housing – seeks to ensure the delivery of new homes to help meet the needs of local communities and be delivered through the varying means, including conversion schemes, with principal residence and affordable housing on suitable small sites in Larger Villages which includes Egton.

Policy CO7 - Housing in Larger Villages – Sets out that in order to support the wider service function of Larger Villages, principal residence and affordable housing will only be permitted on suitable small sites within the main built up area of the village only, with proposals meeting the need for smaller dwellings, or as a conversion of an existing building which lies within the main built up area and makes a positive contribution to the character of the settlement.

Strategic Policy I (The Historic Environment) seeks to ensure that developments affecting the historic environment should make a positive contribution to the cultural heritage and local distinctiveness of the National Park and that development should conserve heritage assets and their setting in a manner appropriate to their significance, especially those assets which contribute most to the distinctive character of the area.

Policy ENV11 – Historic Settlements and Built Heritage - This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park.

Material Considerations

The range of Grade II listed buildings are traditional stone and pantile former agricultural buildings which contribute significantly to the character of the conservation area and therefore its retention and maintenance is considered to be important to the character of the area and built heritage.

The proposed alterations would retain the character of the building and the raising of the roof to allow for the existing roof structure to be maintained is also considered acceptable. Furthermore, the use of barns 3 and 4 for parking and bin storage would reduce the visual clutter of the site and reduce the domesticating impact of this development. It is therefore considered that this proposal would comply with Strategic Policy M and I, and Policy CO7 and ENV11 of the Local Plan.

The Authority's Building Conservation Team has advised that the scheme is very high quality scheme, showing a careful approach as it seeks to retain many of the features, (stalls, forge, threshing floors, troughs, hayracks etc) that give this set of barns special interest. In addition, due to the quality of the existing plans, heritage statement and the sensitivity of the scheme, historic building recording (HBR) is not necessary for the site.

The Building Conservation Team have also commented that on a whole the barns represent a challenge for conversion due to the high levels of surviving historic fabric which contribute to the special interest of the site. The architect has designed a careful

scheme that still achieves the requirements of a domestic property. Traditional and breathable materials are proposed throughout which should help the building function efficiently and prevent damp.

The Authority's Ecologist originally expressed concerns regarding the lack of survey information relating to the possible impact of the development on bats. However, additional information was supplied by the applicant's ecologist which confirmed that no roosting bats were found and that the barn previously identified as 'high suitability' was in fact of 'moderate' suitability. The Authority's Ecologist was satisfied that the site has been surveyed numerous times over the last 4 years and only the single roost has been found, and with only a small number of droppings recorded in the 2019 and 2021 scoping surveys from the same building which would indicate a maternity roost of void dwelling bats is highly unlikely. The Authority's Ecologist consequently has no objections to the proposals.

The Parish Council has not objected but has expressed concerns regarding the extent of works to these listed buildings, concerns that it may not meet the national living standards and concerns with them becoming holiday homes. It is considered that the concerns have been addressed by the positive comments of the Authority's Building Conservation Team, lack of objections from Environmental Health and conditions requiring the units to be principal residence only which would prevent them from being used as holiday lets.

Conclusion

In view of the above, the proposals are considered to be in accordance with Policies contained in the NYM Local Plan and approval is recommended.

Pre-commencement conditions

N/A

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

Approval (No Amendments Required)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.