

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/0932/FL

Development description: construction of single storey extension to provide cellar, staff accommodation and enclosure to existing kitchen, installation of kitchen extraction unit and flue, change of window and door colours, conversion of cabin to refreshments kiosk, siting of gas storage tanks and erection of donkey shelter

Site address: The Grainary, Harwood Dale,

Parish: Harwood Dale

Case officer: Mrs Hilary Saunders

Applicant: Lauren Jackson
c/o agent

Agent: nineteen47

fao: Mr Matthew Mortonson, Unit B Ryedale House, 58 - 60 Picadilly, York, YO1 9NX
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>Amended location plan</td><td>-----</td><td>29/11/2021</td></tr><tr><td>Amended Location & scope plan</td><td>pa-1</td><td>29/11/2021</td></tr><tr><td>House - existing & proposed elevations</td><td>----</td><td>19/11/2021</td></tr><tr><td>Cellar & staff welfare</td><td>pa7</td><td>19/11/2021</td></tr><tr><td>Windows/doors colour change</td><td>pa8</td><td>19/11/2021</td></tr><tr><td>Cabin</td><td>pa3</td><td>19/11/2021</td></tr><tr><td>Gas tank specification</td><td>---</td><td>29/11/2021</td></tr></tbody></table>	Document Description	Document No.	Date Received	Amended location plan	-----	29/11/2021	Amended Location & scope plan	pa-1	29/11/2021	House - existing & proposed elevations	----	19/11/2021	Cellar & staff welfare	pa7	19/11/2021	Windows/doors colour change	pa8	19/11/2021	Cabin	pa3	19/11/2021	Gas tank specification	---	29/11/2021
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		or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.
3	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 (lighting will only be considered acceptable if it is of a style and luminance which minimises glare and light pollution with all bulbs shielded to prevent upward and minimise horizontal light spill).The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
4	RSU000	The refreshment kiosk hereby approved shall only be used in association with the existing facility known as The Grainary unless otherwise approved in writing by the Local Planning Authority.
5	RSU000	The refreshment kiosk hereby permitted shall not be open to customers outside the hours of 0800 to 2100 on any day. Any variation to these hours will require a new grant of planning consent from the Local Planning Authority.
6	MATS04	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	The external timber cladding of the donkey shelter hereby approved shall either be allowed to weather naturally or shall be stained dark brown and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8	MATS00	The external surface of the roof of the donkey shelter and refreshment cabin hereby permitted shall be coloured and thereafter maintained dark grey or black and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
9	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.

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	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.
4 & 5	RSU000	In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Strategic Policy A of the North York Moors Local Plan which seek to conserve and enhance the special qualities of the NYM National Park.
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.
7-9	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.

Informative(s)

Informative number	Informative code	Informative text
1	INFO0	In order to protect the nocturnal wildlife and the quality of the dark night skies above the National Park we recommend a solar control film to be applied to the glazing hereby permitted
2	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>
3	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 to the overall principle of the development. However councillors are most perturbed to see the field shelter for donkeys located within 3m of the LPG tank - from an animal welfare and health & safety point of view this is totally unacceptable. The field shelter should not be placed anywhere near the LPG tank.

No mention is made of whether or not any additional lighting is to be installed -

Council asks that a condition be placed on the current application so as to ensure any external lighting is via planning consent only and Dark Skies policy compliant.

Highways

No objections

Environmental Health

No comments

North Yorkshire Police – Designing Out Crime Officer

Have carried out analysis of crime and disorder for a 12-month period (1 December 2020 to 30 November 2021), for an area within a 1Km radius of the site, which showed that the site is located within a low crime & disorder area, with 4 crimes and 2 anti-social behaviour incidents recorded by NYP.

Having reviewed the accompanying documents and drawings that were submitted with the application, I have no comments to make in relation to Designing Out Crime.

Third party responses

None

Publicity expiry

Site notice expiry date – 10 September 2021

Estate Agents photo showing complex of buildings. Glazed roof to left to be pantile with roof lights.



Inner courtyard area with location of corner extension to provide cellar and staff lockers and screen wall on inner right corner.



Agents photo of building to be used as refreshment hut



Building for refreshment hut located to the left of this of photo to edge of paddock



Background

The Grainary, Keasbeck Hill, comprises a well-established tourism complex located off the main Harwood Dale road. The site comprises an established but diversified working farm, which also includes a bed and breakfast accommodation, and tea rooms and detached holiday accommodation, as well as walks around the farm, which are accessible for wheel chair users.

The business has recently been sold and the new owners are undertaking a programme of refurbishment works to create a boutique hotel, along with modernising the tea room element.

This planning application seeks to enable these refurbishment works to be completed and comprises the construction of single storey stone extension in the corner of the inner courtyard, to provide cellar and staff accommodation to provide staff lockers and storage. It is also proposed in this inner courtyard area to construct a stone wall, in line with the small extension to enclose the existing kitchen and create a screen from the units of accommodation on the opposite side of the courtyard. It is also proposed to install a kitchen extraction unit and flue, and change the colour of the window and doors from white to a pale greeny/grey.

In addition to works proposed to the main group of buildings, it is also proposed to convert an existing timber building to the east of the main group and within the area used for farm trails and children's play, and adjacent to the pond, to a refreshment kiosk, providing teas and coffees and an area for undercover seating.

In a sheltered field to the south west it is proposed to site an open fronted timber donkey shelter and also site a new gas tank.

Main issues

Local Plan

Strategic Policy C- Design - seeks to maintain and enhance the distinctive character of the National Park, and states that development will only be supported where it is of a high quality design; incorporates good quality construction materials and design details that reflect architectural character and form of the original building or the local vernacular; the siting, orientation, layout and density complement existing buildings; the scale, height, massing and form are compatible with surrounding buildings and not have an adverse impact upon the amenities of adjoining occupiers; sustainable design and construction techniques are incorporated; there is a good quality landscaping and planting scheme; local wildlife and biodiversity is enhanced; provision is made for adequate storage, cycling facilities and car parking are provided and the proposal ensures the creation of an accessible, safe and secure environment for all potential users.

Strategic Policy J - Tourism and Recreation - seeks to support such development where it is consistent with the principles of sustainable tourism, does not lead to unacceptable harm to the local landscape character or an ecological or archaeological asset; provides opportunities for people to increase their awareness, understanding and enjoyment of the special qualities of the National Park; is of a quality, scale and design that takes into account and reflects the sensitivity of the local landscape; any accommodation is used only for short term holiday stays; it does not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way.

Strategic Policy K - The Rural Economy - seeks to support development that fosters the economic and social well-being of local communities where it promotes and protects existing businesses by providing flexibility for established rural businesses to diversify and expand; it helps maintain or increase job opportunities in the agricultural, forestry and tourism sectors and provides for and supports small and micro business through the provision of flexible start-up businesses; it provides additional opportunities to diversify and better equip the National Park's workforce, or provides additional facilities, or better use of existing facilities for educational and training uses.

Policy UE1 - Location of Tourism and Recreation Development – This Policy seeks to permit recreation development where it is located in Helmsley or within the main built up area of one of the villages; or in Open Countryside where it involves a small scale conversion and/or extension of an existing building of architectural or historic interest, or where it complies with Policy UE2.

Material Considerations

The proposals relate to a well-established tourist facility with associated development on the surrounding fields.

The majority of the works to the main building are required to bring the facility up to current environmental standards.

In terms of the single storey extension and other works proposed within the inner courtyard area, this is required to meet the functional need in this location to service the business. Due to existing roofscapes, the small flat roof design is the only practical option; however, as seen in context of proposed stone wall along this elevation, and as in functional inner courtyard of the business (which is of poor design and fenestration) it is considered in this instance the design details are acceptable and there won't be any immediate or wider harm to the character of the building or the area. The proposed window colour and black flues and extractor unit are also considered to be acceptable.

It is considered that the proposed pantiling of the existing polycarbonate clear roof would be an improvement to the existing rear elevation. The Authority's Ecologist has expressed concerns regarding light spill from the roof lights and the change in fenestration to the elevations but it is considered that there would be an overall

reduction in light spill from the existing situation in conjunction with a significant design improvement.

The proposed donkey shelter would be located at the edge of a field on land that slopes downhill from the main group of buildings and with hedge boundaries. This would not have any wider landscape impact and meets a functional requirement for an animal shelter. The Parish Council have expressed concerns regarding the proximity of this to the gas tank but the applicant's agent has confirmed that a 3m separation distance surrounding the tank is required and that the siting of the donkey shelter has been placed in accordance with these requirements to ensure it is outside of this easement and therefore to reduce the risk. However, it should be noted that this is an issue that is outside the remit of this planning application.

The proposed refreshment cabin utilises an existing building close to the main farm complex and associated activities and would not result in a form of development out of keeping with this existing tourism complex.

Conclusions

It is considered that the proposed development will enable the provision of an improved tourism facility here without any harm to the character of the locality and would therefore be in accordance with the above policies contained within the NYM Local Plan and consequently approval is recommended.

Pre-commencement conditions

None

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.