

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2021/1024

Development description: conversion of agricultural buildings to 2 no. holiday cottages with associated amenity space and parking together with installation of foul drainage system

Site address: Grosmont Farm, Grosmont

Parish: Grosmont

Case officer: Miss Megan O'Mara

Applicant: The Grosmont Estate

fao: Mr George Winn Darley, c/o GMV Winn & Co, Aldby Park, Buttercrambe, York, YO41 1XU

Agent: The Planning and Design Associates

fao: Mr Paul Nicholas, The Chicory Barn Studio, Moor Lane, Stamford Bridge, York, YO41 1HU

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	RSU011	<p>Use as Holiday Accommodation Only - Outside Villages</p> <p>The dwelling units 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.</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 border="0"> <thead> <tr> <th>Document Description</th> <th>Document No.</th> <th>Date Received</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>GMV-455-04-01</td> <td>22 December 2022</td> </tr> <tr> <td>Amended plans & elevations</td> <td>GMV-455-04-03</td> <td>23 March 2022</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 Received	Location Plan	GMV-455-04-01	22 December 2022	Amended plans & elevations	GMV-455-04-03	23 March 2022
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Location Plan	GMV-455-04-01	22 December 2022									
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3	MISC00	<p>The buildings original openings are to be reinstated, in accordance with the approved plans, within 6 months of the date of this approval.</p>									
4	MATS04	<p>Stonework and Roofing Tiles to Match</p> <p>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.</p>									
5	MATS30	<p>Doors - Details of Construction to be Submitted</p> <p>No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted</p>									

		to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6	MATS33	<p>Doors - Finish to be Agreed</p> <p>No work shall commence on the installation of any door in the development hereby approved until details of the finish of the external doors have been submitted to and approved in writing by the Local Planning Authority. The work shall accord with the details so approved, completed within six months of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
7	MATS43	<p>Windows - Submit Details of Colour/Finish</p> <p>No work shall commence to stain/paint the windows in the development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details, completed within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
8	MATS47	<p>Window Frames in Reveals - Specify Set Back (insert)</p> <p>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.</p>
9	MATS52	<p>Windows - Lintels and Cills in Stone to Match Existing</p> <p>The lintels and cills of all new windows hereby approved, together with any replacement lintels and cills, shall be of natural or reclaimed stone to match the existing in terms of dimension, tooling, shape, colour and texture and shall be maintained in that condition in perpetuity.</p>

10	MATS54	<p>Trickle Vents Shall Not be incorporated into Windows</p> <p>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.</p>
11	MATS60	<p>Windows and Doors - Timber</p> <p>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.</p>
12	MATS70	<p>Guttering Fixed by Gutter Spikes</p> <p>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.</p>
13	MATS72	<p>Black Coloured Rainwater Goods</p> <p>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.</p>
14	MATS73	<p>External Fixtures</p> <p>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.</p>
15	MISC00	<p>Details are to be submitted and approved in writing by the Local Planning Authority for the provision of two long lasting bat boxes and two long lasting bird boxes to offset the loss of any potential roosting and/or nesting features that may have been present in the barn prior to the recent renovation and re-roofing</p>

		works.
16	MISC00	Details of the proposed Package Treatment Plant (PTP) and confirmation of the drainage field are to be submitted and approved in writing by the Local Authority prior to the development being brought into use.
17	HWAY00	The accomodation hereby approved shall only operate as long as the occupants have vehicular access rights across the bridleway.
18	GACS00	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 and no other lighting shall be installed on the site. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	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 holiday accommodation has been permitted in accordance with Policy UE4 and to ensure that a traditional rural building is conserved in line with Policy CO12.
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	MISC00	In order that the development complies with the provisions of Policy CO12 of the North York Moors Local Plan.
4	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
5	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
6	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
7	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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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14	MATS00	For the avoidance of doubt and in order to comply with the provisions of NYM Strategic Policy A and NYM Strategic Policy C 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.
15	MISC00	In order to comply with the provisions of Strategic Policy H of the North York Moors Local Plan which seeks to protect species protected under national and international legislation.
16	MISC00	To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other off-site receptors in accordance with Strategic Policy H of the North York Moors Local Plan.
17	HWAY00	In accordance with Policy CO2 of the North York Moors Local Plan and in the interests of highway safety.
18	GACS00	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 North York Moors Local Plan Strategic Policies A and C, which seek to enhance and conserve the special qualities of the National Park and secure high quality design for new development that does not detract from the quality of life of local residents and in accordance with Policy ENV4 which seeks to protect dark night skies.

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 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;</p>

		http://actionforswifts.blogspot.com/search/label/nestbox%20design
4	MISCINF02	<p>Coal Referral Area</p> <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>

The following two photos show the south-eastern elevation of the building subject to the proposed conversion.



Consultation responses

Parish

Object – 12 February 2022 - Works have already commenced on these buildings with the roof being lifted, lintels put in and doorways and windows added. The council believe this is more so retrospective planning and would like to know if the Environmental Agency have been contacted and would like to know if a Bat Survey has been carried out.

Highways

No objection – 24 January 2022 - On the clear understanding that this application will be conditioned that the dwellings and access route from The Priory remain ancillary to each other and that visitors will have vehicular access rights across the bridleway, there are no highway objections to the application.

Environmental Health

No objections – 21 January 2022

No comments – 25 April 2022

Consultation expiry

Advertisement/site notice expiry date: 25 February 2022

Background

Grosmont Farm is located within the open countryside, north of the main built-up area of Grosmont. The site comprises a main farmhouse, a linear agricultural building of traditional construction and two modern agricultural buildings. There is no relevant planning history on site.

The Authority was notified of unauthorised works to the linear agricultural building of traditional construction in August 2021. It was confirmed that extensive restoration and rebuilding works had taken place to stabilise the building. The works also included alterations to the original openings, together with the introduction of a number of new openings. Works to convert the building into accommodation have not commenced. The building is not listed and is not located within a conservation area.

This application relates to the traditional agricultural building and seeks planning permission for the conversion of the building to form two holiday accommodation units, with associated parking and landscaping.

Main Issues

Relevant Local Plan Policies

Strategic Policy C relates to the quality and design of development within the National Park.

The policy seeks to ensure that proposed development maintains and enhances the distinctive character of the National Park through appropriate siting, orientation, layout and density together with carefully considered scale, height, massing and form. Proposals should incorporate good quality construction materials and design details that reflect and complement the architectural character and form of the original building and/or that of the local vernacular.

Strategic Policy J relates specifically to tourism and recreation. The policy states that development will be supported 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 and where it provides and protects opportunities for all people to increase their awareness, understanding and enjoyment of the special qualities of the National Park in a manner that will not undermine the enjoyment of those qualities by other visitors or the quality of life of residents. The development should be of high quality, scale and design that takes into account and reflects the sensitivity of the local landscape. The development must not compromise the enjoyment of existing tourism and recreational facilities or Public Rights of Way and must not lead to unacceptable harm in terms of noise and activity to the immediate neighbourhood.

Policy UE1 relates specifically to the Location of Tourism and Recreation Development. Tourism and recreation development will only be permitted where it is located in Helmsley or within the main built up area of one of the villages listed in Strategic Policy B; 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.

Policy CO12 relates specifically to the conversion of existing buildings in the open countryside. The policy states that development 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 must be structurally sound and capable of conversion without substantial rebuilding and the building must be appropriately sized for its intended use without the need for significant alterations, extensions or other new buildings. The development must be of 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.

Principle of Development

Strategic Policy J and Policy UE1 of the Authority's adopted policies seek to support tourism and recreation development where appropriate. Both policies are clear that the proposed development should not have an adverse impact on the character or quality of the surrounding area.

Policy UE1 explains that development, such as the proposed holiday accommodation, can be supported in the open countryside where the letting units would be provided for through the small-scale conversion of an existing, suitable building; conversions of rural buildings, such as the development site at Grosmont Farm, must adhere to Policy CO12.

Policy CO12 states that the building must be of architectural or historic interest and must be structurally sound and capable of conversion without substantial rebuilding. It is typical that the applicant would be required to submit a structural report completed by a qualified engineer. In this instance, substantial stabilisation works were completed prior to the submission of an application meaning that had an application been submitted before the works, it is likely that the development would have been considered contrary to policy and therefore refused. However, following site visits to the building, it was concluded that the works completed were necessary for the safety of those using the adjacent bridleway and not deemed to constitute pre-conversion works. However, the alterations to the openings are contrary to policy and have been addressed in the amended plans.

The development is a small-scale conversion of a building of traditional stone and pantile construction in the open countryside and overall, it is considered that the principle of the development is acceptable, in accordance with the provisions outlined in Strategic Policy I and Policy UE1.

Design Details

As previously highlighted, the works completed prior to the submission of a planning application involved the alteration to the original openings, together with the introduction of additional openings. Policy CO12 clearly states that development can only be supported where the development utilises original openings in order to preserve the character and form of the traditional building. The applicants were advised that, in its original form, the development did not adhere to Policy CO12 of the Authority's adopted policies or Part 4 of the Authority's Design Guide. Subsequently, the applicants submitted revised plans proposing the reinstatement of the original fenestration.

In addition, the original plans submitted proposed an extension to the building for storage and plant purposes. Policy CO12 highlights that in order that the Authority is able to support proposed conversions, all storage requirements associated with the proposed use should be accommodated for within the existing building. The Authority

is unable to support extensions or additional buildings to replace space lost through conversion. As such, the proposed extension was omitted from the scheme.

Following amendments to the scheme, it is now considered that the development adheres to Policy CO12, Strategic Policy C and also Part 4 of the Authority's Design Guide.

Although the Parish Council have objected -this is on the basis that the application is retrospective, which is not a material planning consideration.

Wider Impact

The building for which the conversion is proposed is closely related to a dwelling, however it is not considered that the two units of holiday accommodation would result in an increase in noise and activity that would be detrimental to the enjoyment of their private amenities; particularly given the surrounding context of a working farm.

There is sufficient parking on site as well as an acceptable access track and as such the Local Highways Authority have raised no objections to the proposed development.

Conclusion

Overall, it is considered that following amendments requested by the Authority, the development is in line with Strategic Policy C, Strategic Policy I, Policy UE1 and Policy CO12 of the Authority's adopted policies as set out within the Local Plan, together with Part 4 of the Authority's Design Guide.

In view of the above, the application is recommended for approval.

Pre-commencement conditions

Not applicable.

Contribution to Management Plan objectives

Approval is considered likely to help meet Policy B4 which seeks to improve the quality and variety of tourism and recreation facilities and accommodation in the National Park.

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 proposal including revised fenestration, so as to deliver sustainable development.