

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2022/0130

**Development description:** change of use of attached residential annexe to dual use as either annexe or holiday letting accommodation (retrospective)

**Site address:** Green End Farm, Green End, Goathland

**Parish:** Goathland

**Case officer:** Mrs Hilary Saunders

**Applicant:** Thompson and Costello  
Green End Farm, Green End, Goathland, Whitby, YO22 5LQ

**Agent:** Rogerson Limited  
fao: Gerry Rogerson, The Old Post Office, Stonegrave, YO62 4LJ

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text																																	
1	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>Location Plan</td><td>N/A 15</td><td>August 2018</td></tr><tr><td>Proposed Site Plan</td><td>GEF/ANX.P100</td><td>22/02/2022</td></tr><tr><td>Tree Protection Measures</td><td>GEF/PP.105 Rev A</td><td>13 March 2019</td></tr><tr><td>Main House Proposed Rear &amp; West Side Elevation</td><td>GEF/PP.201 Rev B</td><td>01 November 2018</td></tr><tr><td>Main House Proposed Front &amp; East Side Elevations</td><td>GEF/PP.200 Rev B</td><td>01 November 2018</td></tr><tr><td>Main House &amp; Annex</td><td>GEF/ANX.P.110</td><td>22/02/2022</td></tr><tr><td>Proposed Ground Floor Plan</td><td></td><td></td></tr><tr><td>Main House &amp; annex</td><td>GEF/ANX.P.111</td><td>22/02/2022</td></tr><tr><td>Proposed First Floor Plan</td><td></td><td></td></tr><tr><td>Barn Range 1 Proposed Elevations</td><td>GEF/PP.202 Rev A</td><td>27 November 2018</td></tr></tbody></table>	Document Description	Document No.	Date Received	Location Plan	N/A 15	August 2018	Proposed Site Plan	GEF/ANX.P100	22/02/2022	Tree Protection Measures	GEF/PP.105 Rev A	13 March 2019	Main House Proposed Rear & West Side Elevation	GEF/PP.201 Rev B	01 November 2018	Main House Proposed Front & East Side Elevations	GEF/PP.200 Rev B	01 November 2018	Main House & Annex	GEF/ANX.P.110	22/02/2022	Proposed Ground Floor Plan			Main House & annex	GEF/ANX.P.111	22/02/2022	Proposed First Floor Plan			Barn Range 1 Proposed Elevations	GEF/PP.202 Rev A	27 November 2018
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		<p>Barn Range 2 Proposed GEF/PP.203 Rev A 27 November 2018 Elevations</p> <p>Barn Ranges 1&amp;2 GEF/PP.112 Rev A 7/11/2018 Proposed Floor Plans</p> <p>Window Details GEF/Window Photos 01 February 2019</p> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority</p>
2	WPDR00	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.
3	RSU000	The ancillary cookery school hereby permitted shall only be attended by occupiers of the holiday accommodation available on site throughout the duration of their stay and shall not be made available to the general public.
4	RSU000	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.
5	RSU000	The accommodation annotated as Guest Cottage 3 on the approved plans shall only be occupied as either an annex to the dwelling known as Green End Farm (remaining ancillary to the use of that main dwelling and used only for members of the family or friends of the occupier of the main dwelling) or as holiday letting accommodation in accordance with the requirements of Condition 4 above.
6	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 installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7	MATS00	No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and

		approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
8	MATS00	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	MATS00	No work shall commence on the construction of the zinc roof of the development hereby permitted until details of the roof material, including samples if so required by the Local Planning Authority, to be used in the development have been submitted to and approved in writing by the Local Planning Authority. The roof material used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
10	MATS00	All pointing in the development hereby permitted shall accord with the following specification - a lime mortar mix of 1:21/2 (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
11	MATS00	No work shall commence on the timber (oak) cladding of the development hereby permitted until details, including the design and fixing of the timber cladding including samples if so required have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and the timber cladding shall be untreated with any paint or stain finishes and shall be allowed to weather naturally. The timber cladding must be maintained in the above (agreed) condition in perpetuity unless otherwise agreed with the Local Planning Authority.
12	MATS00	The external surface of the aluminium window frames hereby permitted shall be coloured/powder-coated dark grey and shall be maintained in that condition in perpetuity unless otherwise be agreed in writing with the Local Planning Authority.
13	MATS00	No work shall commence on the installation of any rooflights in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be conservation style rooflights and shall be installed in

		accordance with the approved details and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
14	MATS00	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.
15	MATS00	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.
16	MISC00	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in “Mitigation Method Statement” paragraphs 9.1 to 9.7 of the submitted Bat Survey dated 23 July 2018.
17	LNDS00	All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.
18	LNDS00	No retained tree shall be cut down, uprooted, destroyed, pruned, cut or damaged in any manner other than in accordance with the approved plans and particulars without the prior written approval of the local planning authority. In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars.
19	LNDS00	If any retained tree is cut down, uprooted, destroyed or dies or is damaged to such an extent that its viability or amenity is reduced another tree shall be planted at the same place or at an alternative location and that tree shall be of such location, size and species as may be specified in writing by the Local Planning

		Authority. In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars or any trees that have been planted under this condition. In this condition the specification for size and species of planted trees will be the nearest practical equivalent to the tree being replaced.
20	MISC00	The property and holiday letting units hereby approved shall not be occupied or brought into use until the proposed borehole and associated treatment measures have been completed and implemented to the satisfaction of the Local Planning Authority in conjunction with the Environmental Health Officer.

**Reason(s) for condition(s)**

Reason number	Reason code	Reason text
1	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.
2	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.
3	RSU000	In order to enable the Local Planning Authority to retain control over any retail activity at the premises and to ensure compliance with Strategic Policy A and Policy BL8 of the North York Moors Local Plan, which seek to protect the amenity of local residents and conserve and enhance the special qualities of the National Park.
4	RSU000	In order to enable the Local Planning Authority to control any future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
5	RSU000	In order to enable the Local Planning Authority to control any

		future changes to the building which is in a location where the formation of a separate dwelling unit would not normally be permitted in line with Strategic Policies B and M of the North York Moors Local Plan and would be likely to adversely affect the amenities of existing and future occupiers of the site.
6	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.
7	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.
8-15	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.
16	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.
17	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
18	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
19	LNDS00	In order to comply with the provisions of Strategic Policy C of the North York Moors Local Plan which seeks to ensure that new development incorporates a landscaping scheme which is

		appropriate to the character of the locality and retains important existing features.
20	MISC00	In the interests of the visual amenities of the locality and to comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the special qualities of the National Park.

### Informative(s)

Informative number	Informative code	Informative text
1	MISCINF01	<p><b>Bats</b></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	INFO0	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 to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at <a href="http://www.groundstability.com">www.groundstability.com</a>
3	INFO0	Please note that the footpath/track situated through the site, to the south-east of Barn Range 2 the development site hereby approved must be kept free from obstruction and open for use at all times before, during and after any works.
4	MISCINF12	<p><b>Birds</b></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</p>

		<p>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  <a href="http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx">http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx</a>. Further information on wildlife legislation relating to birds can be found at <a href="http://www.rspb.org.uk/images/WBATL_tcm9-132998.pdf">www.rspb.org.uk/images/WBATL_tcm9-132998.pdf</a>.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or <a href="mailto:conservation@northyorkmoors.org.uk">conservation@northyorkmoors.org.uk</a>.</p>
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### Consultation responses

#### Parish

No objections

#### Highways

No objections, on the clear understanding that this application will be conditioned to remain ancillary to the main residence, there are no highway objections to the application.

#### Natural England

No objection

#### Environmental Health

It should be noted that should planning permission be granted, this will necessitate a change in the private water testing regime of the property by the local authority. Annual testing of the water supply and a five yearly risk assessment will be required, the cost to be borne by the applicant, and a water disinfection system installed.

### Third party responses

#### Name

Mr J Harrison, 20 Esk Valley, Grosmont, Whitby - No objections but comment as follows:

I take issue with the sentiments expressed in the third paragraph of the Supporting Document (Section H - Conclusion). This reads :

“Much time and effort has been spent developing this scheme, in open and collaborative discussion with the LPA to develop a proposal that is appropriate to the site, sympathetic to the heritage of the buildings, considerate to the nearby adjoining owners and, above all, contributory to the quality and character of the National Park.”



The property has not been developed in a manner that is contributory to the quality and character of the National Park. The extension has been built out over an almost sheer drop and is completely out of character in the National Park. It is a blot on the landscape that can be seen from the Rail Trail and surrounding area contrary to the statements made in the original application that it cannot be seen from a public highway or footpath. It destroys the views from the surrounding area that the applicant is praising in the current application. Views can be looked at from both ends. Additionally, the large windows are out of keeping in an area claiming to be a 'dark sky area'. The light pollution can be seen for miles around.

### Publicity expiry

Site notice expiry date – 12 May 2022

## Background

Green End Farm is a traditional moorland farm steading located approximately 2.2 kilometres north-west of the settlement of Goathland.

The site comprises: the main farmhouse which is of stone under pantile construction and has a traditional linear plan form with an attached outbuilding; a former milking parlour of traditional stone construction under corrugated sheet roof (identified as barn 1); a linear and relatively modern single storey storage pole barn (identified as barn 2); an open "Dutch" barn in the centre of the site and; a parcel of land extending to some 10.5 hectares.

Planning permission was granted in 2018 for the refurbishment and extension of main residence to create a family home with annexed unit, conversion of 2no. existing outbuildings to holiday letting cottages and the provision of ancillary cookery school offering baking and catering courses to holiday cottage guests only (i.e. no additional visiting members of the public)

This application seeks permission to allow the annex attached to the house to also be able to be used as a holiday let.

## Main issues

### Local Plan

The relevant policy contained within the North York Moors Local Plan is considered to be Policy CO12 - Conversion of Existing Buildings in Open Countryside – which seeks to permit such 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.

### Material Considerations

The principle of the suitability of the conversion of this element of the building has already been accepted through the previous permission to allow its conversion into annex accommodation.

It is considered that this alternative use as a self-contained holiday let would also be appropriate as it is located within a group, would be managed from the host dwelling and there is adequate onsite parking. Furthermore, the proposal would not have a detrimental impact on any residential amenities.

For the reasons outlined above, this application is recommended for approval.

### 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.