

NYMNPA

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**PLANNING STATEMENT**

**PREPARED BY MR FAHIM FAROOQUI MSC MRTPI**  
**ON BEHALF OF MR JOHN GRIMES**  
**DECEMBER 2024**

**CASE: RETROSPECTIVE WORKS TO CONVERSION OF AND EXTENSION**  
**TO REDUNDANT BUILDINGS TO FORM 1 NO. LOCAL**  
**OCCUPANCY DWELLING WITH ASSOCIATED**  
**GARAGE/WORKSHOP/STORE AND AMENITY SPACE**

**LOCATION: RYE HILL FARM**  
**GREAT AYTON**  
**TS9 6HE**

## CONTENTS

1. INTRODUCTION
2. BACKGROUND AND REBUTTAL TO UNAUTHORISED WORKS CARRIED OUT
3. SITE CONTEXT
4. PROPOSED DEVELOPMENT
5. PLANNING HISTORY
6. PLANNING POLICY CONTEXT – THE DEVELOPMENT PLAN AND NPPF
7. KEY ISSUES AND PLANNING BALANCE
8. SUMMARY

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## **1. INTRODUCTION**

Total Planning Solutions (the 'Agent') have prepared this Planning Statement on behalf of Mr John Grimes (the 'Applicant') to support the detailed planning application for retrospective works to conversion of and extension to redundant buildings to form 1 no. local occupancy dwelling with associated garage/workshop/store and amenity space at Rye Hill Farm, Great Ayton TS9 6HE.

Planning permission was originally granted in 2020 under application reference NYM/2020/0374/FL 7th October 2020 subject to conditions for conversion of and extension to redundant buildings to form 1 no. local occupancy dwelling with associated garage/workshop/store and amenity space.

All works in relation to the conversion of the barn and outbuilding have been completed with the occupation by the applicant's family.

During a routine site visit from the Council with respect to a Section 73 and discharge of planning conditions planning application submission, relating to the original consent; the Council observed that the works carried out were above and beyond a Section 73 ad did not meet specific requisite planning condition criterions imposed.

For this reason, the applicant withdrew both Section 73 and Discharge of condition applications and has submitted this full planning application to regularise and address the planning concerns raised.

This supporting statement aims to provide an assessment of the planning policy context and assesses the planning balance for the proposed changes rather than the principle of development for the conversion into a dwelling which was considered acceptable by the Council.

This Statement will set out the context of the weighted planning balance by considering the Development Plan and any material considerations which are relevant to this determination.

## **2. BACKGROUND AND REBUTTAL TO UNAUTHORISED WORKS CARRIED OUT**

For background, planning conditions imposed on the original consent NYM/2020/0374/FL relating to Local Occupancy under condition 5 was discharged accordingly.

A variation of planning condition - variation of condition 14 of planning approval NYM/2020/0374/FL to allow installation of Aluminium profile window frames and bi-fold door system was approved on 1.6.2023 under application reference NYM/2023/0192.

A recent planning application for new stone boundary wall/entrance gate and Air source heat pump was also approved in December 2023 under application reference NYM/2023/0693.

In relation to the unauthorised works to the conversion of the barn and outbuildings, the Council provided the following concerns and planning issues that are to be addressed within this planning submission.

The following list provides a rebuttal to each concern raised by the Council and are to be considered within the following statement for consideration and are highlighted in black bold against each point.

### **OUTBUILDING**

- Stone posts with cap tops unacceptable – caps should be removed and stone posts must be flush with walls.



#### ***Response:***

***The applicant seeks to retain this present appearance on the basis it compliments the vertical cladding with a subservient projecting stone post replacing the former adhoc mixture of brickwork which did not compliment the surrounding farmstead.***

- Cladding unacceptable – vertical larch cladding could be acceptable with brick plinth showing

#### ***Response:***

***The applicant has chosen the use of bamboo cladding over larch which is typically used in similar developments, as a new sustainable material which is more durable, being a natural product such as larch and the dark stain being a recommendation from the council to replace the former red brick adhoc finish, which the former outbuilding and barn displayed. The cladding installed is in vertical arrangement as stated and is considered to enhance the overall outlook of this outbuilding.***

- Eaves height increased? Must be shown on plans.

**Response:**

**Submitted plans illustrate the overall built form for new eaves height for consideration and was carried out to allow the replacement of the existing roof as per the structural assessment report dated 30th July 2020 on page 12 sub section 3.5 Building E which stated the following;**

**3.5.1 Roof Structure & Covering**

**This building has a traditional roof structure with a central timber truss supporting a single purlin to each roof face. The roof covering comprised interlocking clay pantiles. There is evidence of significant decay and deflection of the main structural members and it is noted that an attempt to repair the main truss has been carried out in the past. Given the overall condition of the roof, it is likely that full replacement will be required. It should, however, be possible to retain a number of the clay pantiles for reuse.**

- Door and window details not approved

**Response:**

**Following a site visit by the Council officer, it was agreed that the insertion of garage door and covering over of former window opening was considered acceptable with no further action and to be illustrated on submitted plans for consideration**

**FRONT ELEVATION**

**First section**

- Eaves height lifted to allow for introduction of kneelers - kneelers not supported and must be removed.

**Response:**

**The Eaves height of this part of the building has remained the same as original but appears to be raised due to the insertion of sandstone kneelers. The applicant considers stone kneelers associated with water tables are not uncommon within rural buildings or barn conversions and there is no guidance within the Council Design guide Part 4 stating otherwise. In addition, there are illustrations of similar examples within the Council design guide (p22) to illustrate the applicants point.**



- Unauthorised water tabling – where water tabling did not previously exist it must be removed.

**Response:**

***Once again, the original barn and neighbouring farmstead consist of water tables and the additional water tables are not considered by the applicant an alien feature to warrant refusal nor detrimental to overall appearance of this new dwelling within the countryside.***

***The Council Design guide Part 4 under sub section 3.2.4 Roofs, does not advise against such features or mention water tables as an incongruous feature to barn conversions.***

- Lintels with keystone not characterful – unlikely to take action on this element.

**Response:**

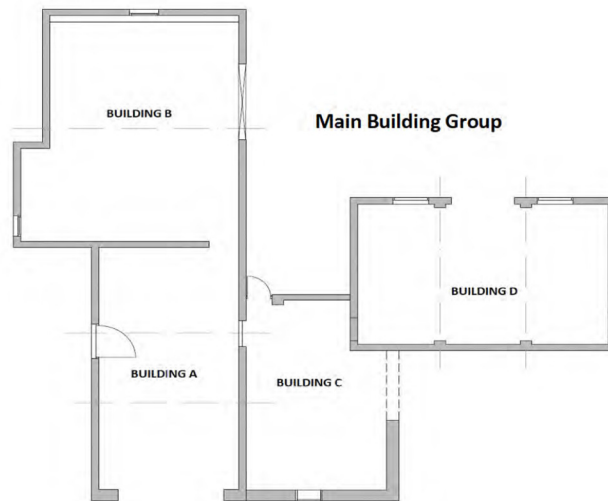
***The applicant takes due note on this matter and welcomes this decision.***

**Central section**

- Structural survey also says no need for rebuilding or reconstruction however it is clear that substantial rebuilding has been done and Extended roof structure to join to adjacent building – unauthorised and not supported

**Response:**

***The applicant considers this comment factually incorrect as the structural assessment report dated 30th July 2020, mention specific parts of the barn and outbuilding to contain defective roof structure and walling, which need replacing.***



***This supports the applicant's action in connecting the original roof of Building C to Building A due to the structural report under page 4 Sub section 3.1 Building A and 3.2.1 Building B, which states that***

***“Roof Structure & Covering***

***The roof structure to this building is significantly different to that of the other buildings under consideration. The main structural members comprise steel trusses and steel purlins. The roof covering is formed from profile cement sheets. There is evidence of significant corrosion of the steel members in a number of locations. This, coupled with the fact that the existing structure would not be adequate to support a traditional tiled roof, means that full replacement of the roof structure to this area will be required.”***

***The applicant has provided an updated structural report just to clarify the main reason for the infill roof connection on the basis of future maintenance and prevention of water ingress with the former gable design.***

***In addition, it is not considered that the roof detailing is uncommon within barn conversions or new buildings within the countryside, to warrant refusal on visual amenity grounds.***



Roof Before



Roof as built

- Central element has been enlarged by approx. 0.5m without permission

**Response:**

***The applicant has provided amended plans for consideration to reflect the increase in projection length of the hallway area which the contractor carried out without referring to the applicant and utilised existing sandstone block sizes rather than cutting to actual approved dimension as per the approved plan. The applicant consider this a minor addition to the overall appearance of this new dwelling.***

- Poor quality windows – specifically glazing bars. Should have structural glazing bars, not stuck on.

**Response:**

***The applicant has taken necessary action to replace this window feature with structural glazing bars and openings as requested. A sample window can be***



**provided to the Council by the applicant upon request and has been illustrated on submitted plans.**

- Rooflight unauthorised – should be removed

**Response:**

**The applicant seeks to obtain permission for this one additional rooflight associated to cloakroom on the basis it is a 'conservation style' and sits flush within the roof slope within minimal intrusion to the overall front elevation which is viewed from the adjacent vantage point of the private track.**



**End section**

- Cladding unauthorised – cladding not supported. Vertical larch left to weather naturally more appropriate.

**Response:**

**The applicant has chosen the use of bamboo cladding over larch which is typically used in similar developments, as a new sustainable material which is more durable, being a natural product such as larch and the dark stain being a recommendation from the council to replace the former red brick adhoc finish, which the former barn displayed. The cladding installed is in vertical arrangement as stated and is considered to enhance the overall outlook of this part of the new dwelling, with a contrasting finish.**

- 'Transom' windows unauthorised – not supported as not agricultural in appearance. Could replace with hoppers or remove.

**Response:**

**The applicant has inserted these high level transom windows to allow light into this part of the building due to being a later addition to the traditional stone barn.**

***These windows are located within corridor access leading to the proposed bedrooms rather than inserting additional rooflights within this part of the roof plane which would be contrary to criteria laid out within DG part 4.***

***The applicant has agreed to replace the fixed window panes and replace with hopper openings as illustrated on submitted plans.***

- Eaves overhang – unauthorised and not supported.

***Response:***

***The applicant has commenced works to remove the overhang as observed and plans submitted illustrate this request.***

#### **Rear Elevation**

- New fenestration unauthorised – proportions and symmetry too domestic

***Response:***

***The applicant seeks the Council to consider the two windows as installed with the insertion of structural glazing bars and sectional openings to improve the symmetry and present domestic appearance. A sample window can be provided to the Council by the applicant upon request and has been illustrated on submitted plans.***

- Unauthorised cladding – not supported.

***Response:***

***The applicant has chosen the use of bamboo cladding over larch which is typically used in similar developments, as a new sustainable material which is more durable, being a natural product such as larch and the dark stain being a recommendation from the council to replace the former red brick adhoc finish, which the former barn displayed. The cladding installed is in vertical arrangement as stated and is considered to enhance the overall outlook of this part of the new dwelling, with a contrasting finish.***

***This part of the building consisted of adhoc red brick finish which was a later addition to the main stone barns and which the applicant considers allowance to improve with this detailing.***

- Glazed extension not in accordance with plans – should be stepped back and cladding removed

***Response:***

***The applicant has replaced the approved full glazed roof to this part of the extension due to the concern of significant heat loss from this approved design.***

***For this reason alone and to meet Part 1LA building legislation in terms of heat loss prevention; a GRP and a single flat roof glazed roof atrium was installed which has been built below eaves height of adjoining buildings.***

***With the low level flat roof design of this extension, associated glazed doors being set back within the framework and inclusion of a small element of bamboo cladding detailing above the glazed doors, it is considered that this development creates a subservient feature which retains that modern addition on the basis of the original approved design being allowed.***

***In support of this argument, it is not considered that this element is detrimental to the overall appearance of this conversion nor its rural settings to the rear part of the site.***

- Roof material on end section not as approved

***Response:***

***Following the Council site visit, the officer agreed that the approved Zinc material for this part of the roof being replaced with matching pantiles was considered acceptable and has been illustrated on submitted plans.***

- Flat top on water tabling – unauthorised and needs rectifying.

***Response:***

***The applicant has agreed to rectify this construction detailing and has been illustrated on submitted plans to be carried out.***

- Unauthorised rooflights on rear of brick element

***Response:***

***The applicant seeks to obtain permission for these two additional rooflight associated to each bedroom on the basis they are 'conservation style' and sit flush within the roof slope within uniform appearance to the rear elevation which mirror the approved roof light detailing to the kitchen/snug roof plane and are all outwith vantage points such as the private track to the front and only visible from the rear amenity space of the applicants land.***

**OTHER MATTERS**

- Unauthorised Stable in adjacent field – remove or apply for PP. – this will be dealt under a separate planning application

***Response:***

***The applicant seeks submit a separate planning application to regularise this development for stables.***

- PD rights removed – fencing unauthorised and unacceptable. Central bar should be horizontal

***Response:***

***The applicant has erected the boundary treatment to its perimeter edging to the rear and side with an 45 degree angled mid post rail design, as illustrated below.***



***The neighbouring property at Ryehill Farm consists of criss cross timber post and rail fencing which runs along their perimeter edge and private track road, as illustrated below***



***Given the presence of various adhoc boundary treatments in the area, the applicants fence positioning within the application site and which will be predominantly screened by the approved 1.2m high dry stone walling running along the front perimeter edge of the site; the design detailing of an angled mid rail against the Councils preferred horizontal central bar is considered a subjective matter and not considered to have a significant detrimental impact upon the visual amenity of this rural setting.***

***The applicant seeks the Council to consider this matter on the merits mentioned above.***

### **3. SITE CONTEXT**

The application site relates to existing farm outbuildings at Rye Hill Farm which are part of a wider cluster of buildings, including two dwellings to the south known as Rye Hill House and Rye Hill Cottage.

The buildings relate to traditional single storey stone and brick buildings with pitched roofs finished in red clay pan tiles. Rye Hill house is a two storey dwelling of traditional character and constructed of similar materials and Rye Hill Cottage is of a similar appearance.

Rye Hill Farm sits within open countryside approximately 1km to the east of the settlement of Great Ayton and within the North York Moors National Park. It is accessed via an existing farm access track to the east of the buildings which connects with Station Road to the south. There is an existing railway line to the west of the site and the farm access passes under the line via a short tunnel. The surrounding land is characterised by traditional field boundaries with large blocks of woodland.

Whilst of traditional character, neither the buildings, recent conversion or the adjacent dwellings are listed buildings. Notwithstanding this background, the proposed alternations seek to retain and enhance the character of the original buildings, whilst allowing minor aesthetic changes which are not uncommon for barn conversions within National Parks.

### **4. PROPOSED DEVELOPMENT**

Full planning permission is sought for the regularisation of unauthorised works in relation to the conversion of barn and outbuilding at Rye Hill Farm to form a single dwelling under approved application reference NYM/2020/0374/FL 7th October 2020, which has been implemented and occupied.

The list of unauthorised works is detailed within the 'Background' section of this statement for clarity and will be addressed accordingly with the following sections below for determination.

The proposal retains the original layout development in providing living accommodation that includes three bedrooms, an open plan kitchen, dining and living room, utility room, garden room and bathrooms. The detached building to the east of the site would be utilised as a garage and ancillary plant room for the associated heating and plumbing for the main dwelling.

For clarity, the following materials have been implemented within the development;

- Matching Sandstone facing walls
- Matching Pan Tile roofing
- All windows and bi fold doors consist of profile aluminium Black colour RAL 9005.
- Front entrance door consists of solid oak door and glazed panels within oak frames with a light stain colour for contrast
- Garage doors consist of Oak Doors with a light stain colour for contrast
- Vertical cladding consists of Natural Bamboo cladding stained a dark colour
- Header lintols and Keystone and water tables consist of sandstone material
- 7no. rooflights consist of Conservation roof lights in Black (RAL 9005)
- The flat roof to the dining area (as Plan) consists of a GRP fibreglass finish
- 2no. Woodburner extraction flues have been installed to the front roof plane associated to the main hallway and Snug Room
- 6no. external down light fittings have been installed with low ambience lux levels

## 5. PLANNING HISTORY

In terms of relevant planning history, the following applications are considered to be of relevance to this planning application:

- NYM/2009/0445/FL - alterations and extensions to dwelling - Approved with Conditions 26-10-2009
- NYM/2020/0374/FL - conversion of and extension to redundant buildings to form 1 no. local occupancy dwelling with associated garage/workshop/store and amenity space – Approved 07-10-2020
- NYM/2022/0358 – Local Occupancy Discharge of Condition – Approved 26.5.2022
- NYM/2023/0191 –Verification check of conditions 11, 12, 17 and 18 of planning approval NYM/2020/0374/FL – Pending
- NYM/2023/0192 - variation of condition 14 of planning approval NYM/2020/0374/FL to allow installation of Aluminium profile window frames and bi-fold door system – Approved 1.6.2023
- NYM/2023/0693 - construction of dry stone boundary wall, erection of timber entrance gates and installation of air source heat pump (retrospective) with timber screening – Approved 20<sup>th</sup> December 2023

## 6. PLANNING POLICY CONTEXT

Section 38(6) of the Planning and Compulsory Purchase Act 2004, is relevant in determining planning applications and states that:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise”.*

The above legal requirement is also reiterated within the National Planning Policy Framework (2023). This section therefore examines the policies contained within the “Development Plan” which comprises the following:

The Statutory Development Plan for this site comprises the policies contained within the North York Moors Local Plan (adopted 2020). The following policies contained within the Local Plan are considered to be of relevance to the proposed development:

- Strategic Policy A - Achieving National Park Purposes and Sustainable Development
- Strategic Policy B – The Spatial Strategy
- Strategic Policy C – Quality and Design of Development
- Strategic Policy H - Habitats, Wildlife, Biodiversity and Geodiversity
- Policy ENV2 - Tranquillity
- Policy ENV4 – Dark Night Skies
- Policy CO12 – Conversion of Existing Buildings in Open Countryside
- Policy CO17 – Householder Development

### Supplementary Planning Documents (SPDs)

Also, of relevance to this development site is the Design Guide SPD which will be considered as part of this application.

- Part 1: General Principles
- Part 2: Extensions and Alterations to Dwellings
- Part 3: Trees and Landscape
- **Part 4: The Re-use of Traditional Rural Buildings**
- Part 5: New Agricultural Buildings

### National Planning Policy Framework (2023) (NPPF), National Planning Policy Guidance and Other Material Considerations

The NPPF was published in December 2023 and provides the national planning guidance against which this application will be determined and is a material consideration in the determination of this application. The NPPF is the most significant of material considerations and significant weight is given to this policy document.

The NPPF provides direction for decision making in planning applications stating that the both plans and decisions should apply a presumption in favour of sustainable development, meaning for decision makers (paragraph 11):

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

### The Presumption in Favour of Sustainable Development

The NPPF at paragraph 10 reaffirms the presumption in favour of sustainable development, reaffirming the three overarching objectives as follows (paragraph 8):

- a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;
- b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
- c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

These three objectives are considered to be interdependent and are to be pursued in mutually supportive ways to secure net gains across each of the objectives.

### Achieving well-designed places

Section 12, paragraph 124 establishes that good design is a key aspect of sustainable development. Paragraph 127 guides decision makers to ensure proposal for new development are encouraged as follows:

- a) Will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) Are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) Are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);



- d) Establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
- e) Optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public open space) and support local facilities and transport network; and
- f) Create places that are safe, inclusive and accessible and which promote health and wellbeing, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.

#### Planning Practice Guidance (PPG)

The updated national Planning Practice Guide (PPG) supports the NPPF and provides guidance on its interpretation.

## **7. KEY ISSUES AND PLANNING BALANCE**

Based upon the assessment of planning policy and the supporting documentation this section will consider the key issues identified by this and assess the planning balance. The following issues are considered:

- Principle of Development including Scale, Layout and Design.
- Other material considerations

### **PRINCIPLE OF DEVELOPMENT**

The principle of development for the conversion of and extension to redundant buildings to form 1 no. local occupancy dwelling with associated garage/workshop/store and amenity space as considered acceptable under application NYM/2020/0374/FL subject to the Policy CO12 of the Local Plan.

With respects to the proposed additional works carried out by the applicant, each criterion set out within this Policy CO12 will be revisited and argue in favour of meeting each policy criterion once again, based upon its own individual merits;

#### *Policy assessment*

Policy CO12 states that the conversion of existing buildings in Open Countryside will only be permitted where:

1. The building is of architectural or historic importance and makes a positive contribution to the landscape and special qualities of the National Park;
2. The building is structurally sound and capable of conversion without substantial rebuilding, as demonstrated by a qualified structural engineer's report;
3. The building is appropriately sized for its intended use without the need for significant alterations, extensions or other new building
4. The building has reasonable access to necessary infrastructure, services and facilities;
5. The proposal is of a 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.
6. The proposed use does not lead to changes in the building's curtilage or the creation of any new vehicular access or parking area that would adversely affect the character and appearance of the building or the surrounding landscape;
7. The building is located within an existing group of buildings that have a close physical and visual relationship to each other;
8. The proposed use is compatible in nature, scale and level of activity with the surrounding locality and any neighbouring buildings.

### **CRITERION 1: ARCHITECTURAL/ HISTORIC SIGNIFICANCE**

The first test of Policy CO12 is to assess whether the building subject to conversion is of architectural and historic merit and makes a contribution to the landscape and character of the National Park.

The simple robust elevations, primarily in stone, with traditional pitched clay pantile roofs, dry stonewalling with modern glazing features along with sandstone water tables

reflect the characteristics and appearance of Rye Hill House and cottage. These form a harmonious building group which reflects the traditional built characteristics of development found throughout the National Park.

The additional elements of vertical natural dark stained bamboo cladding, the additional conservation roof lights, extraction flue, transom window openings and sandstone kneelers are not considered to be significantly detrimental to the overall architectural and historic merit of the built form, due to the combined with this pattern of development, with a farmhouse immediately adjacent to a traditional range of farm outbuildings is a common arrangement in the local landscape and a further important part of the character and landscape of the National Park.

In light of the above, it is submitted that the converted buildings with the additional works above and beyond the original approved design preserve and enhance the overall development with a positive impact upon the surrounding landscape and character of the National Park and should be retained for this reason. The development proposals therefore comply with the first test of Policy CO12.

## **CRITERION 2: STRUCTURAL ASSESSMENT**

Criterion 2 of Policy CO12 requires that the building is structurally sound and physically capable of conversion without substantial rebuilding.

The original structural assessment report dated 30<sup>th</sup> July 2020 provided a brief summary of the overall structural state of each element of the outbuilding and barn.

During construction of this conversion by the contractors, it was discovered that certain elements of the existing roof to the barn and outbuilding had to be replaced which was evidenced within the original structural report. These works support the slight unauthorised changes carried out by the applicant and detailed within section 2 of this statement for justification.

Nevertheless, the works carried out to the roof sections as described have made the development suitable for the conversion and family occupation without the need for major significant rebuilding or reconstruction, in accordance with Policy CO12.

## **CRITERION 3: SIZE, ALTERATIONS AND EXTENSIONS**

The supporting drawings from 'Original', 'As Approved' and 'As built' show the retention and use of existing openings with some slight additions, to ensure the rural character of the buildings are retained.

The additional small extension of 500mm and roof connection are considered to be small in scale, proportionate in size to the existing buildings and would retain the general footprint of the buildings without harmfully extending into the surrounding countryside and allowing for a good standard of living accommodation.

In summary, the proposed conversion and extensions are appropriately designed in scale and character and maintains the general footprint of the building without resulting in any impacts upon the wider landscape. As such the proposals are not in conflict with Policy CO12.

#### **CRITERION 4: SERVICES, INFRASTRUCTURE AND FACILITIES**

The proposed conversion of the buildings to a single dwelling would be compatible with the residential use of adjacent buildings within the group. There are no existing uses in the vicinity of the site that would be harmful to the amenity of proposed dwelling and there would be no resultant harmful effects that would have a detrimental impact upon the character of the locality. Rye Hill Farm, Great Ayton

The use is therefore compatible in nature, scale and activity with other buildings within the group and would not result in any adverse impacts upon the character of the locality.

#### **CRITERION 5: DESIGN**

Chapter 12 of the NPPF is concerned with 'Achieving well-designed places', stating in paragraph 124 that the 'Creation of high quality buildings and places is fundamental to what planning and development process should achieve. Good design is a key aspect of sustainable development creates better places in which to live and work and helps to make development acceptable to communities'.

Policy C of the local plan sets out design criteria for development within the National Park. The key criteria relevant to this application are as follows:

1. The proposal is of a high quality design that will make a positive contribution to the local environment in accordance with the principles set out in the North York Moors National Park Authority Design Guide;
2. The proposal incorporates 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;
3. The siting, orientation, layout and density of the proposal complement existing buildings and the form of the settlement, preserving or enhancing views into and out of the site and creating spaces around and between buildings which contribute to the character and quality of the locality;
4. The scale, height, massing and form of the proposal are compatible with surrounding buildings and will not have an adverse impact upon the amenities of adjoining occupiers;

The propose development has sought to keep the sympathetic conversion of the existing buildings through the retention of existing openings and important architectural features which contribute to their architectural and historic importance, with the allowance for some minor alterations to allow for its use as a dwelling.

The proposed extension and additional works are subservient to the overall footprint of the buildings and allow for a better form of accommodation for its occupants. The small extension to the mid building has been designed to appear as if it is original to the building, but with its proposed use in mind.

Overall, the development proposals have been designed to reflect the functional form and traditional character of the building without harm to the fabric of the building or its setting, with elements which are not alien to the national park nor countryside developments for barn conversions. As such the proposals are not in conflict with Policy CO12.

## **CRITERION 6: CURTILAGE**

Policy CO12 requires that the proposed use does not lead to changes to the curtilage of the building, the creation of a new vehicular access or parking areas that would adversely affect its character and appearance or that of the wider landscape.

The changes to the building's curtilage are minimal and have no significant impact on the wider landscape setting of the site. The proposals would therefore be in compliance with Policy CO12.

## **CRITERION 7: RELATIONSHIP WITH OTHER BUILDINGS**

The subject buildings are clearly part of a close grouping of buildings at Rye Hill Farm, which include two existing dwellings. These buildings have a strong physical and visual relationship with each other, with limited separation between the farmhouse and outbuildings to be converted. This building arrangement reflects the characteristics of other traditional farm groupings in this part of the National Park. Furthermore, the site is not a remote location being situated close to Little Ayton and within around 1km of Great Ayton, a large village containing a range of services to the east. The proposals would therefore be in compliance with Policy CO12.

## **CRITERION 8: USE**

The policy specifies that where a permanent residential use is proposed the accommodation is restricted to a person satisfying the local needs criteria set out in Core Policy J. It further specifies that the tenure of the property will be restricted to letting only and that the unit will not be sold off from the main dwelling.

In this instance, the applicant has satisfied the Council with a Local occupancy condition discharge to meet the local needs criteria. This approval has been submitted within this application submission and as such there is no significant conflict with Policy CO12 in this regard.

## **SUMMARY**

In summary, the development proposals are considered to meet all of the relevant tests of Policy CO12 and as such the principle of the development is considered acceptable once more based upon the arguments and justification put forward.

Furthermore, there no policy presumption within the NPPF which would suggest that the proposals are unacceptable in principle. In fact, current policy is to promote the re-use of vacant buildings, including farm buildings for residential purposes.

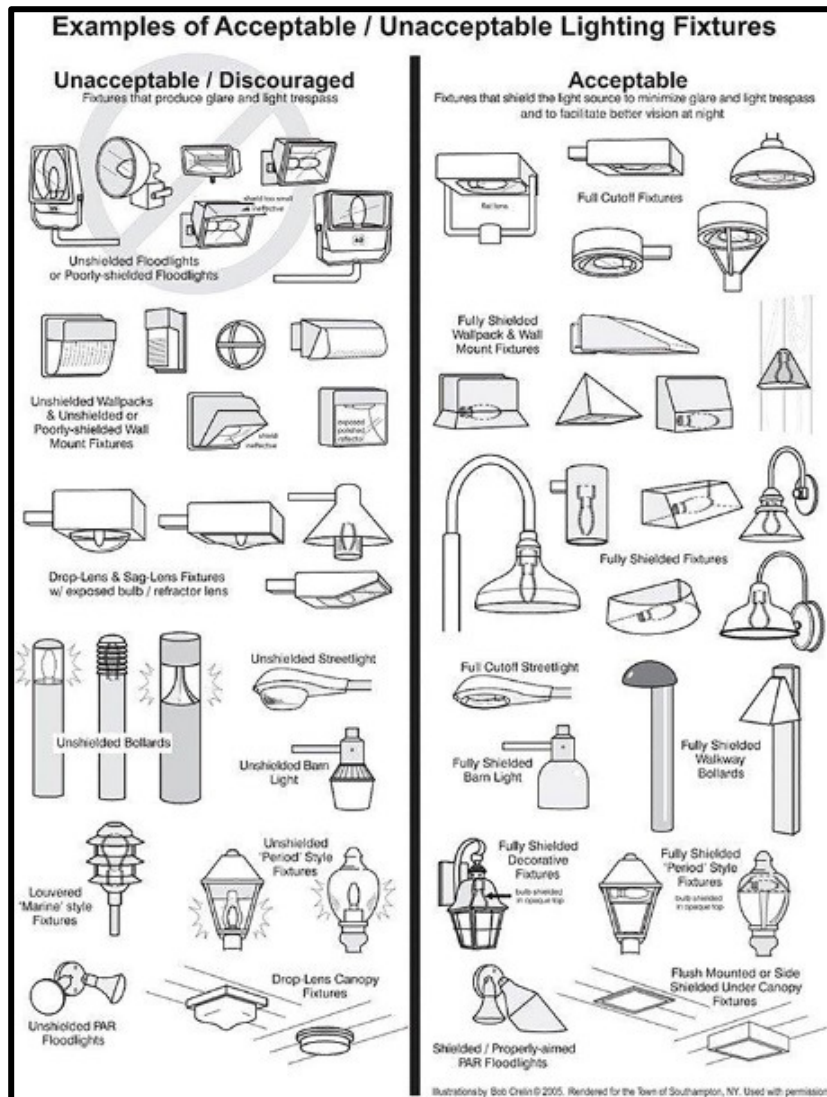
The proposals are therefore in accordance with the relevant provisions of the Local plan as well as more up to date policy advice within the NPPF. As such, there should be no policy objection to the principle of the proposed works carried out by the applicant.

## **OTHER MATERIAL CONSIDERATIONS**

### **External Outdoor Lighting**

Policy EN4 Dark Night Skies of the Local Plan states that the darkness of the night skies above the National Park will be maintained and where possible enhanced. All development will be expected to minimise light spillage through good design and lighting management and the following lighting principles will be applied:

1. No external lighting will be permitted in Remote Areas; 2. In Open Countryside proposals that involve external lighting will only be permitted where it can be demonstrated that the lighting is essential for safety or security reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority; 3. Within settlements listed in the Authority's settlement hierarchy, proposals that involve external lighting will be permitted where it can be demonstrated that the lighting is essential for safety, security or community reasons and the lighting details meet or exceed those set out in any lighting guidelines adopted by the Authority.



In addition to the above policy, the Council have adopted a Local Plan Supplementary Planning Document which provides a 'Careful Approach to Lighting'.

In this instance, the applicant has installed 6no. low lux level light fittings with the following positioning.

1. 2no. lights to the front façade to the end building
2. 2no. lights to the rear façade to the end building
3. 2no. lights to the kitchen/snug building facing onto the patio area to the rear



The installed light fittings provide 4w warm light with a Lumens level of 220. The light fitting is down light which meets the Council Policy, SPD and Ecology mitigation measures as requested.

#### Solid Stove Flue

As illustrated on the submitted plans 2no. extraction flues have been positioned in relation to the solid fuel stoves within the dwelling.

Guidance found within the Council Design guide Part 4 sub section 3.2.5 Chimneys & flues states that *“Where a projecting flue is required to facilitate an open fire or a solid fuel stove etc, its position should be such that its visual impacts are minimised. Painting a stainless steel flue in a dark colour can reduce the likelihood of sunlight reflecting from its shiny surface whilst minimising its impact.”*

In this instance the applicant has installed one black coloured flue to the front roof plane with a small projectory height that does not significantly alter the overall rural appearance of this new conversion.

This design and height detail is mirrored to the rear roof plane of the kitchen/snug built form.

As such these proposals do not conflict with the SPD guidance and not an alien feature to similar rural developments and provide a renewable energy source.

### Ecology

The original approval was provided with an competent ecology report and mitigation measures controlled by way of planning condition with respects to breeding birds and Roosting barn owl.

The applicant has carried out the relevant mitigation measures and licence application with the competent ecologists to satisfy the former planning conditions. For clarity, this has been submitted with this application for conformity in this respect.

## **8. SUMMARY**

With regard to the principle of development it is considered that the development will preserve and enhance the barn conversion by providing an appropriate residential accommodation for the applicant's family needs.

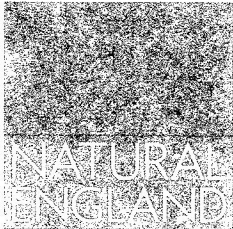
In regard to the additional design details of the development carried out by the applicant following the planning approval; consideration should be given to the original state of the buildings prior to approval which were not the most attractive collection of buildings within the National Park.

It is considered that the proposed works carried out have been carried out in a sustainable manner to ensure longevity for occupational needs, maintenance free and enhance design detailing which is not uncommon within rural setting such as the National Park.

The applicant considers that given the nature of a change of use and the minor domestic nature of the alterations it is considered there will be no detrimental impact on the landscape or surrounding area.

This supporting planning statement has demonstrated that the proposal accords with the Development Plan and the NPPF and the applicant seeks the Local Planning Authority will look favourably upon this planning application and grant planning permission subject to appropriate conditions. Notwithstanding, we remain willing to discuss any aspect of the proposed development with the Local Planning Authority, should this be necessary and/or desirable.





# Licence Return Form - WML-CL21

## Bat Mitigation Class Licence Return

Please note - Applications need to be submitted electronically by email to the [licencespart1@naturalengland.org.uk](mailto:licencespart1@naturalengland.org.uk) mailbox.

Please ensure you provide all the information requested. The red boxes indicate mandatory fields and the form cannot be submitted until all required fields are completed. Look for notes which pop up to provide advice in some sections of the form.

1. Name of Registered Ecological Consultant

2a. Registered Consultant number  b. Site Registration form reference

3a. Registered site name

3b. Registered site address

3c. Post Code

4. OS grid reference of registered site (6 figure minimum) eg. SP123456

5a. Period covered by this report (in line with details supplied with site registration form WML-CL21-SiteReg)  
From  To

5b. Numbers and species of bat and roost types covered by the site registration form If lesser horseshoe selected, choose either day or transitional roost only

Species	Maximum Number	Roost type	
Common pipistrelle	5	Day roost	+ -
Common pipistrelle	1	Day roost	+ -

### CUSTOMER SITE AND DETAILS

6. Has action been taken under this licence?  Yes  No

If 'No' and you are submitting a Nil Return, complete part h. below

If 'Yes' move to parts 6a. to g. below

Please provide details as follows:-

- a. Were all works conducted under this licence during the period specified above in line with the site registration form WML-CL21-SiteReg?  
 Yes  No
- b. Did you personally undertake the licensed works?  
 Yes  No
- c. Did you use another Registered Consultant to undertake the licensed works?  
 Yes  No
- d. Were Accredited Agents (maximum 2) used to undertake licensed works?  
 Yes  No
- i. How many accredited agents were used?
- ii. Name of Accredited Agent 1
- iii. Describe the licensed actions undertaken by Accredited Agent 1
- e. Did you or another Registered Consultant check the work undertaken by the Accredited Agent(s)?  
 By Me  By other Registered Consultant  No
- f. Was the work undertaken by the Accredited Agents undertaken to a good standard and in line with the requirements and conditions of the licence?  
 Yes  No
- g. Were Assistants (maximum 6) used, working under direct supervision of the Registered Consultant?  
 Yes  No
- h. Provide an explanation as to why you are submitting a Nil Return:

**LICENSED ACTIONS**

7a. Date licensed actions undertaken      Start date       End date

b. Licensed methods used (tick all that you used to complete the licensed works)

- Capture by hand
- Artificial light (eg torches)
- Hand-held static nets
- Endoscopes

Temporary exclusion by one-way doors or valves (bat excluders)

Destructive search by soft demolition

Permanent exclusion

Disturbance by illumination or noise

Temporary obstruction of roost access

Mechanical demolition

8. Confirmation of roost structure affected

Structure	
Agricultural building	+ -

9a. Confirmation of species impacted during licensed works

Species	Roost type(s) affected	No. of bats observed in roost but not physically taken	Number of bats captured/taken	Date(s) (month and year)	
Common pipistrelle	Day roost	0	0	October 2022	+ -
Common pipistrelle	Day roost	0	0	October 2022	+ -

b. Confirmation that only species and roost types covered by your Site Registration form were affected

Yes  No

v. Was the 'unexpected finds guidance' followed?

Yes  No

10. Were bats seen flying away during works?

Yes  No

11. Confirm below any mitigation or compensation provided

None

Bat box/es

Bat tile/bat brick/bat tube

Creation of new crevices/access points

Retention of roost(s) and/or access points

Other

**ADDITIONAL INFORMATION**

12. Were there any accidental injuries or deaths?

Yes  No

13. Other evidence of bats found whilst works were taking place

No other evidence

Droppings

Mummified bats or skeletons

Remains of prey items

Staining

Other

14. Any other relevant information or comments

**DECLARATIONS** - To be completed by the Registered Ecological Consultant

15. I confirm that:

- a. The details given in this report are correct to the best of my knowledge and belief;
- b. The conditions specific to this licence and site registration details have been complied with;
- c. I or any Authorised Person, acting on my behalf (specified in Q6) directly supervised any assistants (as appropriate).

Signature

Name

G Manners

Date

9 Nov 2022

Please insert an electronic signature or tick here to confirm acceptance of the declaration

Yes

Reset Form

Submit by Email

Our Ref: W21254-WBE-XX-XX-CO-Z-0001/ks

John Grimes  
Rye Hill Farm  
Great Ayton,

**EMAIL ONLY**

**NYMNPA**

**01/02/2024**

7<sup>th</sup> December 2023

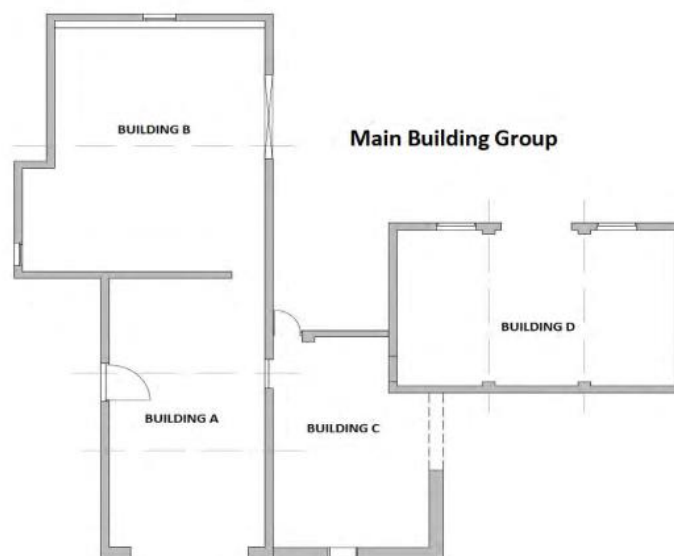
Dear Mr Grimes,

**Re: W21254 Rye Hill Farm, Great Ayton – Structural Comments**

Further to the above building and recent conversion works, **WB Engineers Ltd** were requested by John Grimes to comment on the suitability of an existing wall as part of the works.

The original barn building were converted into a domestic dwelling. As part of the conversion, a number of repairs were required to the roof finishes and roof supporting structure. WB Engineers were also provided with a Structural Assessment of the building by The Handley Partnership dated 30<sup>th</sup> July 2020.

The structural assessment identifies the condition of the various buildings and notes the condition of the wall to building C. The report highlights the condition of the wall between building A and C in poor condition towards the top. The proposals as part of the conversion were to maintain a vaulted roof – mono pitch to the front of building C and duo pitched roof to Building A.



*Figure 1 – Building Reference*

When considering the condition of the gable of Building C and the intention to introduce a new steelwork ridge member to support new rafters as part of the vaulted roof, stability of the existing wall, which was originally to be

an exposed gable, were of concern. As noted in the original report, its integrity was compromised and in poor condition and such the condition had only become worse since the original survey was undertaken.

The continuation of the roof into the side of Building A provided additional restraint to the wall whilst also mitigating direct wind forces on the wall which potentially could cause instability.



*Figure 2 – Constructed Elevation*

Structurally, this was considered a robust solution to the concerns raised whilst maintaining an acceptable visual appearance.

We trust that the above meets with your requirements at this stage. However, in the meantime if we can provide you with any further information or assistance then please do not hesitate to contact us.

Yours sincerely

**Kyle Sutcliffe**  
BSc (Hons) CEng MICE MIStructE

For and on behalf of **WB Engineers**

Enc:

Mr John Grimes  
Verdun House  
Faceby  
Middlesbrough  
TS9 7BW

NYMNPA  
01/02/2024

Your ref:  
Our ref: NYM/2022/0358  
Date: 26 May 2022

Dear Mr Grimes

**Application for verification check of condition 5 of planning approval  
NYM/2020/0374/FL for confirmation of compliance with local occupancy restriction at  
Rye Hill Farm, Great Ayton**

Thank you for your submission of details reserved by condition (CVC) validated 12 May 2022, regarding the above.

I am writing, on behalf of the National Park Authority, to confirm approval of the following details:

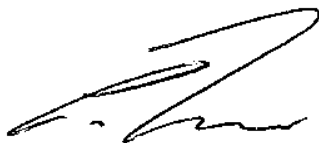
**Condition 5:**

I can confirm that the details submitted, comprising a tenancy agreement, council tax bill and bank statements, are acceptable in pursuant of condition 5 of the above approval. The Authority is satisfied that you have demonstrated a 3-year period of residence in the National Park, as required by condition 5.

You are therefore advised that Condition 5 is discharged, allowing Mr John Grimes to occupy Rye Hill Farm.

I trust that the above advice is of assistance but if you have any further queries, please do not hesitate to contact Miss Megan O'Mara again on the above number.

Yours faithfully



Mr C M France  
Director of Planning

### **Rights of Appeal**

- (1) If the applicant is aggrieved by the decision of the Local Planning Authority to:
- a) refuse an application for planning permission/Listed Building consent or grant it subject to conditions;
  - b) refuse an application for any consent, agreement or approval required by a condition imposed on a grant of planning permission/Listed Building consent or grant it subject to conditions; or
  - c) refuse an application for any approval required under a development order

they may appeal to the Secretary of State of Department of Communities and Local Government in accordance with Section 78 of the Town and Country Planning Act 1990, within six months (8 weeks in the case of a householder application) or in the case of a Listed Building consent in accordance with Sections 20 and 21 of the Planning (Listed Buildings and Conservation Areas) Act 1990 within six months of the date of this notice. The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State need not consider an appeal if it seems to the Secretary of State that the Local Planning Authority could not have granted planning permission/Listed Building consent for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based their decision on a direction given by him.

- (2) If planning permission or Listed Building consent is refused, or granted subject to conditions, whether by the Local Planning Authority or by the Secretary of State, the owner of the land may claim that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the council of the county/district in which the land is situated a purchase notice requiring that council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990/ Section 32 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
- (3) In relation to Listed Buildings attention is drawn to Section 8 (2)(C) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the effect of which is that demolition of a Listed Building may not be undertaken (despite the terms of the consent granted by the Local Planning Authority) until notice of the proposal has been given to English Heritage, Architectural Investigation Section, 37 Tanner Row, York, YO1 6WP, and they subsequently have either been given reasonable access to the building for at least one month following the grant of consent, or have stated that they have completed their record of the building or that they do not wish to record it.
- (4) In relation to Listed Buildings in certain circumstances a claim may be made against the Local Planning Authority for compensation where permission is refused or granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 27 of the Planning (Listed Buildings and Conservation Areas) Act 1990.



Note: If an aggrieved applicant wishes to exercise their right of appeal as above mentioned, they should do so using a form which you can get from the Secretary of State at:

**Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel: 0303 444 00 00) or online at [www.planningportal.gov.uk/planning/appeals](http://www.planningportal.gov.uk/planning/appeals)**

#### **Notes**

1. Please note, only the applicant possesses the right of appeal.
2. No consent, permission or approval hereby given absolves the applicant from the necessity of obtaining the approval, under the Building Regulations, of the District Council in whose area the site of the proposed Development is situated; or of obtaining approval under any other Bye-Laws, local Acts, orders, regulations and statutory provisions in force; and no part of the proposed development should be commenced until such further approval has been obtained.
3. In your own interests your attention is particularly drawn to the conditions under which approval has been given to your proposals. Failure to comply fully with the conditions could lead to enforcement action resulting in work already done being demolished or prosecution in Magistrates' Court.
4. If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within 28 days of the date of this notice.
5. If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your Local Planning Authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.