

North York Moors National Park Authority

Delegated decision report

Application reference number: NYM/2023/0723

Development description: Listed Building consent for construction of extension to already converted building to form farm workers dwelling/ancillary annexe accommodation (dual use)

Site address: Foulsyke Farm, Fylingdales

Parish: Fylingdales

Case officer: Hilary Saunders

Applicant: Mr K and Mrs S Roche

Foulsyke Farm, Fylingdales, Whitby, North Yorkshire, YO22 4QL

Agent: Cheryl Ward Planning

fao: Cheryl Farrow, 24 Westfield Mews, Kirkbymoorside, York, YO62 6BA,

Director of Planning's Recommendation

Approval subject to the following:

Condition(s)

Condition number	Condition code	Condition text									
1	TM02	The works authorised by this consent shall begin not later than three years from the date of this consent.									
2	PL01	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table><thead><tr><th>Document Description</th><th>Drawing No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Site location plan</td><td>---</td><td>30/10/2023</td></tr><tr><td>Proposed elevations & floor plan</td><td>ERM/KR/001 Revised March 2024</td><td>21/03/2024</td></tr></tbody></table>	Document Description	Drawing No.	Date Received	Site location plan	---	30/10/2023	Proposed elevations & floor plan	ERM/KR/001 Revised March 2024	21/03/2024
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Site location plan	---	30/10/2023									
Proposed elevations & floor plan	ERM/KR/001 Revised March 2024	21/03/2024									
3	AC21	No up-lighting shall be installed on the development hereby permitted. Any external lighting installed on the development hereby approved shall be Dark Skies compliant and no other lighting shall be installed on the site. All lighting shall be installed to minimise its impact on neighbouring amenity. The lighting shall be installed in accordance with the above and shall be maintained in that condition in perpetuity.									

Condition number	Condition code	Condition text
4	BCMT01	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.
5	BCMT09	Notwithstanding the submitted details, all window frames and door frames, including the glazing link between the existing building and proposed extension, shall be of timber construction without trickle vents and no work shall commence on the installation of any fenestration element in the development hereby approved until detailed plans showing the constructional details and external appearance of all external elements, including frames and glazing, have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate the overall fenestration design on a scale of not more than 1:20, the longitudinal and cross-sectional detailing including means of opening at a scale of not more than 1:5, and moulding details (i.e., frame, glazing bar) at a scale of not more than 1:2. All fenestration elements shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
6	GPMT23	The guttering to the development hereby permitted shall be directly fixed to the masonry by means of gutter spikes located within the mortar joint with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity.
7	GPMT24	Notwithstanding the submitted details all rainwater and foul water goods shall be painted cast iron in black or a colour to be agreed in writing by the Local Planning Authority and thereafter be so maintained in that condition in perpetuity.
8	GPMT21	No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity.
9	GPMT15	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

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		perpetuity.
10	GPMT21	No work shall commence on the installation of any rooflights in the development hereby approved until full details have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be fixed or top-hung metal conservation style and shall be installed in accordance with the approved details and maintained in that condition in perpetuity.
11	GPMT19	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.
12	BC07	No work shall commence on the installation of any external fixtures to the building to which this permission/consent 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, heat pumps, 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.

Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM02	To ensure compliance with Sections 18(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.
2	RSN PL01	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	RSN AC01	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

Reason number	Reason code	Reason text
		the National Park and secure high quality design for new development that does not detract from the quality of life of local residents; in accordance with Policy ENV4 which seeks to protect dark night skies.
4 & 5	RSN BCMT01	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.
6 & 7	RSN GPMT01	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 & 10	RSN GPMT02	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.
11	RSN GPMT01	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.
12	RSN BC02	In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to minimise the risk of any unforeseen collapse of the building and to comply with the provisions of Strategic Policy I and Development Policy ENV11 which seek to ensure that alterations do not have an unacceptable impact on the special historic or architectural interest of the building.

Informative(s)

Informative number	Informative code	Informative text
1	MC INF01	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.
2	MC INF05	Planning permission has also been granted for this development. You are advised to obtain sight of the notice of planning permission and the approved plans and ensure that the development is carried out strictly in accordance with the approved plans and the terms and conditions of the planning permission.

Consultation responses

Parish

No objection

Third party responses

None received.

Publicity expiry

Advertisement/site notice expiry date – 8 December 2024

Showing wider farm complex; application building is the pantile building to right of picture.



Building as already converted



Building prior to original conversion works



Background

Foulsyke Farm is an isolated farm, located just off the A170, a little north of the Flask Complex. The farmhouse is a Listed Building and consequently, the adjacent traditional agricultural buildings are listed as curtilage buildings.

Planning permission and listed building consent were granted in 2005 to convert 3 of the redundant farm buildings into holiday cottages and office and to convert a fourth small traditional outbuilding into a microbrewery and erect a timber stable building comprising 2 stalls and a tack room.

A subsequent planning permission and Listed Building consent was granted in 2011 to allow the office unit to be used as a holiday cottage also.

In 2019, planning permission was granted to allow the holiday cottage to the southwest of the listed farmhouse to be sold off separately as a local occupancy dwelling, to be retained with the farmland and for the two holiday cottages to the southeast to be retained with the listed farmhouse with the use being varied to allow both holiday letting and local occupancy letting.

This application relates to the building immediately to the rear of that group and was previously granted permission as a brewery. This application seeks listed building consent for alterations and extensions to the building to enable a change of use of this building, along with a small extension (significantly reduced in scale through negotiations since first submission) to provide either annex accommodation or accommodation for a farm worker, either to be tied to the farmhouse that is associated with the farmland. The accommodation provided would comprise a living and kitchen space and farm utility/office space at ground floor with a single bedroom at first floor. External alterations would include a single storey extension measuring 5.5m long x 4.6 wide (with slim glazed link to provide additional living space downstairs and a staircase to access the existing roof space of the original building).

Main issues

Local Plan

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

Policy ENV11 (Historic Settlements and Built Heritage) This policy seeks to resist development that results in loss of or harm to the significance of designated and other heritage assets of national importance. In order to accept any loss or harm proposals

will be required to present clear and compelling justification for the development, including the public benefits which will arise from the proposal. This includes assets which are recognised through formal designation such as Listed Buildings and Conservation Areas which benefit from statutory protection, but also non-designated assets of local or regional significance that contribute to the special qualities of the National Park.

Policy CO12 (Conversion of Existing Buildings in Open Countryside) 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 existing structure has already been converted from its original agricultural use and it is not considered that the change from brewery use to residential would further alter its historic character. Whilst the plans show upvc windows, the applicant has been advised this is not acceptable and that timber windows will be required, this has been accepted by the applicant's agent. Conditions also require cast iron rainwater goods.

The Building Conservation Officer has expressed concerns regarding the quality of previous works, but these do not form part of this application – and cast iron rainwater goods and timber windows are required by condition.

Fenestration has been altered to create a more vertical emphasis and whilst the Building Conservation Officer has expressed concerns regarding the large gable end cart shed opening, such a feature was contained on the original building and is therefore not considered to be out of character.

Whilst the proposed extension is more substantial than generally supported for barn conversions, it has been significantly reduced in scale from original submission and would be subservient in scale to the host building.

Conclusion

The proposal is considered to be in accordance with the Policies set out above and in the spirit of Policy CO12, particularly as a substantial part of the ground floor would be farm utility and office space; and it is considered that there would be no detrimental impact on the setting of the host building or the character of the locality.

In view of the above, approval is recommended.

Public Sector Equality Duty imposed by section 149 of the Equality Act 2010

The proposal is not considered to unduly affect any people with protected characteristics.

Pre-commencement conditions

Not applicable

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 reduction in scale of extension, improvements to fenestration design and agreement to condition requiring timber windows, so as to deliver sustainable development.