

# North York Moors National Park Authority

## Delegated decision report

**Application reference number:** NYM/2023/0844

**Development description:** conversion of outbuilding to form residential annexe together with construction of lean-to shed and installation of air source heat pump

**Site address:** Beacon Hill Farm, Raw

**Parish:** Fylingdales

**Parish:** LCPs of Fylingdales and Hawsker-cum-Stainsacre

**Case officer:** Miss Emily Jackson

**Applicant:** Mr John Helliwell, Beacon Hill Farm, Raw, Whitby, YO22 4PP

**Agent:** Mark Tabert Chartered Architect, 22 Broadway West, York, YO10 4JJ

## Director of Planning's Recommendation

Approval subject to the following:

### Condition(s)

Condition number	Condition code	Condition text																								
1	TM01	The development hereby permitted shall begin not later than three years from the date of this decision.																								
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>Rev. No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Location Plan</td><td></td><td></td><td>07 December 2023</td></tr><tr><td>Block Plan</td><td>1114/B1</td><td>D</td><td>26 April 2024</td></tr><tr><td>Floor Plan and Elevations</td><td>1114/10</td><td>C</td><td>12 April 2024</td></tr><tr><td>Store and Heat Pump Elevations</td><td>1114/12</td><td>C</td><td>21 May 2024</td></tr><tr><td>Heat Pump Specification</td><td></td><td></td><td>19 June 2024</td></tr></tbody></table>	Document Description	Drawing No.	Rev. No.	Date Received	Location Plan			07 December 2023	Block Plan	1114/B1	D	26 April 2024	Floor Plan and Elevations	1114/10	C	12 April 2024	Store and Heat Pump Elevations	1114/12	C	21 May 2024	Heat Pump Specification			19 June 2024
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3	UOR11	The annexe accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Beacon Hill Farm, Raw.																								

4	PDR01	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 F 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.
5	BCMT09	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 windows, doors, frames, glazing and paint colour, 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	GPMT14	The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity.
7	GPMT26	All rainwater and foul water goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity.
8	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.
9	MCOO	The external elevations of the lean-to store hereby approved shall be clad with vertical timber boarding and shall either be stained a dark colour or left to weather naturally. The elevations of the store shall be maintained in that condition in perpetuity.
10	MCOO	The exterior casement of the air source heat pump hereby approved shall be coloured to match the existing stonework colour found on the outbuilding within 3 months of installation and maintained in that condition in perpetuity.

11	MC14	If the use of the air source heat pump hereby approved permanently ceases, it shall be removed from the site within 6 months of that cessation and the rear elevation shall, as far as practical, be restored to its condition before development took place.
12	MC02	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in section 9.2 of the submitted Bat, Breeding Bird and Barn Owl Scoping Survey dated January 2024.
13	MHC-03	The crossing of the highway verge and/or footway must be constructed in accordance with Standard Detail number E50 and the following requirements.  <ul style="list-style-type: none"> <li>• The existing slot drainage channel should be cleaned out as part of the construction works.</li> </ul> <p>All works must accord with the approved details.</p>

#### Reason(s) for condition(s)

Reason number	Reason code	Reason text
1	RSN TM01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning 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 UOR09	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to Strategic Policy M of the North York Moors Local Plan.
4	RSN PD01	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 and Policy CO17 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 and to maintain a suitable mix of housing types within the National Park.

5	RSN BCMT02	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.
6-10	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 MISC09	In order to return the land to its former condition and comply with the provisions of Strategic Policy A of the North York Moors Local Plan which seeks to conserve and enhance the landscape of the National Park.
12	RSN MISC06	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Strategic Policy H of the North York Moors Local Plan which seeks to conserve and enhance the quality and diversity of the natural environment.
13	RSN MHC-03	To ensure a satisfactory means of access to the site from the public highway in the interests of highway safety and the convenience of all highway users.

#### 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 INF12	<p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from the <a href="#">Gov.UK web site</a> . Further information on wildlife legislation relating to birds can be found on the <a href="#">Royal Society for the Protection of Bird's web site</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>
3	INF MHi-C	<p>Notwithstanding any valid planning permission for works to amend the existing highway, you are advised that a separate licence will be required from North Yorkshire County Council as the Local Highway Authority in order to allow any works in the existing public highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council as the Local Highway Authority, is available to download from the <a href="#">County Council's website</a> . The Local Highway Authority will also be pleased to provide the detailed constructional specifications referred to in this condition.</p>

## Consultation responses

Fylingdales Parish

No objections.

Harwood Dale Parish

None received.

Hawsker-cum-Stainsacre Parish

None received.

Highways

Recommends Conditions - The LHA would class this application to have an additional residential annexe as having the potential to increase the amount of traffic. For the publicly maintainable highway area that is in line with the adjacent grass verges, the LHA would wish to see the paving flags replaced but the slot drainage channel could remain on the understanding that the system is cleaned out.

Natural England

No Objection

Environmental Health

No objection on regulatory services or housing grounds.

No objection from environmental protection unit following submission of MCS Calculation for air source heat pump as heat pump falls under permitted development levels.

## Third party responses

None received.

Publicity expiry

13 March 2024

Photograph showing front elevation of existing outbuilding; proposed to be converted into a residential annexe.



Photograph showing rear elevation of existing outbuilding proposed to be converted; air source heat pump and timber lean-to store also proposed to be constructed on this elevation.



Photograph looking north into site from unclassified highway that runs through the settlement of Raw; outbuilding to be converted can be seen to centre of photograph.





## Background

Beacon Hill Farm is a large traditional stone and pantile dwelling with a range of outbuildings that occupies an elevated position within the settlement of Raw. The property has been subject to various alterations including the addition of dormer windows together with the conversion of outbuildings to form additional living space/annexe accommodation.

In September 1984, permission was granted for the part conversion of a single storey outbuilding adjoining the dwelling to provide additional living space. Further permission was granted in March 1994 to increase the roof height of this outbuilding to form first floor living accommodation, however, this permission was never implemented. In April 2002, permission was granted for the conversion of a detached outbuilding located to the east of the main dwellinghouse to form a residential annexe to be used ancillary to the main dwellinghouse. More recently, permission was granted in February 2024 for a single storey link extension to connect the main dwelling and the residential annexe.

This application now seeks permission to convert an existing detached outbuilding on site to form a further residential annexe. The outbuilding is located to the southeast of the main dwelling and is of an attractive stone and pantile construction with pre-existing solar panels installed upon the rear roof slope. The annexe would remain ancillary to the occupation of the main dwelling and is proposed to be occupied by members of the applicant's immediate family.

This application has been subject to several amendments to omit the conservatory extension to the rear and changes to the overall fenestration pattern. Following amendments, officers are satisfied that the design of the proposal is now acceptable.

## Main issues

### Local Plan

The most relevant policies contained within the North York Moors National Park Authority Local Plan 2020 to consider with this application are Strategic Policy C (Design), Policy CO17 (Householder Development), Policy CO12 (Conversion of Existing Buildings in the Open Countryside) and Policy CO18 (Residential Annexes).

Strategic Policy C seeks to maintain and enhance the distinctive character of the national park by considering appropriate siting, orientation, layout and density of proposals in addition to appropriate scale, height and massing and form. Proposals should utilise good quality materials and be of a high-quality, sustainable design that reflects and complements the architectural character and form of the original building and/or that of the local vernacular.

Policy CO12 seeks to permit the conversion of buildings in the open countryside 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. New uses for rural buildings that may be permitted under this policy are employment, education or training; holiday accommodation or permanent local occupancy residential use; tourism facilities; community facilities (in exceptional circumstances) and purposes incidental to the residential use of the dwelling.

Policy CO17 seeks to ensure that development within the domestic curtilage of dwellings should take full account of the character of the local area and the special qualities of the National Park. Development will only be permitted where: the scale, height, form, position and design of new development do not detract from the character and form of the original dwelling and its setting; the development does not adversely affect the amenity for the existing and neighbouring occupiers; and that the development reflects the principles of the Authority's design guide.

Policy CO18 states that residential annexes will only be permitted where: the development is located within the domestic curtilage and is ancillary to the main dwelling in terms of its scale, specification and proposed use; a clear functional need for the ancillary accommodation is demonstrated; and in the case of a new build annexe, it is physically attached to the main dwelling with an interconnecting door. All proposals should also meet the requirements of Policy CO17, Householder Development. Where permission is granted, a condition will be applied to ensure that the annexe remains under the control of the occupier of the main dwelling.

### Material Considerations

The outbuilding to which this application relates is of an attractive, traditional appearance that makes a positive contribution to the landscape of the National Park. The outbuilding is located in close proximity to the existing group of buildings on site, following a courtyard formation and would be used for purposes ancillary to the main dwelling (remaining under the control of the main occupiers). Following amendments to omit the conservatory extension, the outbuilding has been shown to be capable of conversion without the need for significant alterations or new buildings. In view of this, the proposal is felt to accord with Policy CO12.

The amended plans are considered to be of a sympathetic design that is in-keeping with the traditional character of the outbuilding. The proposal would make use of the

existing openings where possible, with the exception of some new openings to the rear. To allow for additional storage, a small timber lean-to extension with stone plinth is proposed to the rear elevation which is felt to be of an appropriate size and design. There would be no internal door between the annexe and store building to ensure that it is used for storage only.

Further to the above, it is proposed for an air source heat pump to be installed upon the rear elevation of the outbuilding to the left-hand side of the lean-to store. To ensure that the heat pump does not have an adverse visual impact, the applicants have agreed to a condition that requires the heat pump to be coloured to match the stone of the outbuilding. Following a MCS Permitted Development noise calculation, Environmental Health have no objections to the installation of the heat pump.

It is not anticipated that the proposal would have an adverse impact upon neighbouring amenity. The outbuilding is not located in close proximity to immediate neighbours and the completed MCS noise assessment for the Air Source Heat Pump falls within permitted development levels. Whilst the Local Highways Authority has raised that the proposal may increase traffic, given that the annexe would be used ancillary to the occupation of the host dwelling it is not felt that the addition of one or two cars would have an adverse impact upon neighbouring occupiers.

Whilst the Authority's Ecologist did request that a further emergence survey was completed to assess the risk for roosting bats, on the basis that the bat scoping survey submitted identified a low risk for the building to house roosting bats on balance it has not been considered necessary for a further survey to be completed. However, a condition has been applied for the mitigation measures (e.g. bird and bat boxes) contained within the scoping survey to be completed as part of the development.

No objections to the proposal have been received.

### Conclusion

For the reasons outlined above, the proposal meets the aims of Strategic Policy C, Policy CO17, Policy CO12 and Policy CO18 of the NYMNPA Local Plan 2020 and as such, 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 the removal of the proposed extension and alterations to the fenestration pattern, so as to deliver sustainable development.