

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Lockton

Application No. NYM/2016/0114/FL

Proposal: variation of condition 5 of outline consent NYM/2006/0229/OU and condition 5 of reserved matters NYM/2007/0277/RM to allow the occupation of the annexe (within blue line) to include local occupancy letting

**Location: High House Farm Annexe
Davids Lane
Lockton**

Decision Date: 29 April 2016

Consultations

Parish – Support the application as there is very little property available within Lockton Parish for rent. Whenever any property becomes available it is very quickly re-let so there is obviously a need.

Site Notice Expiry Date – 12 April 2016

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	RSUO06	The occupation of the dwelling as approved under NYM/2007/0277/RM shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.
2.	WPDR01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), no development within Schedule 2, Part 1, Classes A to H Schedule 2, Part 2, Classes A to C and within Schedule 2 Part 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
3.	RSUO07	The occupation of the existing dwelling known as High House Farm shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.

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4.	RSU000	<p>The occupation of the existing annexe accommodation attached to the original dwelling known as High House Farm shall from the date of the commencement of the development hereby permitted be limited to annexe accommodation, holiday accommodation, accommodation for an agricultural worker or for local occupancy letting. For the purpose of this permission annexe accommodation means that the accommodation shall remain ancillary to the use of the main dwelling known as High House Farm, shall form and remain part of the curtilage of this main dwelling as a single planning unit, and shall be used only for members of the occupier of the main dwelling. Holiday letting means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year and accommodation for an agricultural worker means that the occupation shall be limited to a person solely or mainly employed or last employed in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or in forestry or a dependant of such a person residing with him or her, or a widow or widower of such a person.</p> <p>Local occupancy letting means the occupation of the annexe shall be limited to:</p> <ul style="list-style-type: none"> i) a qualifying person; and ii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. <p>For the purpose of the above, a person is a qualifying person in relation to the dwelling if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:</p> <ul style="list-style-type: none"> a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or e) needs to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park. <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.</p> <p>Note A: For the purposes of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following</p>
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		exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harlsey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.
5.	RSU000	Prior to any foundations being dug in connection with the development hereby permitted the existing static caravan on the site shall be permanently removed from the holding and no other caravan placed on the holding without prior written consent of the National Park Authority.
6.	MATS60	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7.	MATS70	The guttering to the development hereby permitted shall be directly fixed to the stonework by means of gutter spikes with no fascia boarding being utilised in the development and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8.	MATS72	The rainwater goods utilised in the development hereby permitted shall be coloured black and shall thereafter be so maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

Reason for Condition(s)

1.	RSU001	In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (Use Classes) Order 2010 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order) or the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order), and to comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to enhance and conserve the special qualities of the NYM National Park and ensure that development does not have an adverse effect on the amenities of adjoining occupiers.
2.	WPDR01	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 NYM Development Policy 3 and NYM Core Policy A, which seek to enhance and conserve the special qualities of the NYM National Park and secure high quality design for new development.
3.	RSU007	The site of the proposed dwelling is in an area where NYM Core Policy J and Planning Policy Statement 7, Annex A, seek to restrict all the dwellings on a farm to that which is essential to the needs of local agriculture to comply with the provisions of NYM Core Policy A.
4.	RSU000	The site of the proposed dwelling is in an area where Core Policy J of the Local Development Plan seeks to restrict new residential development to that which is essential to the needs of local agriculture and not allow the occupation of the accommodation as a separate independent dwelling. Holiday accommodation, annex accommodation or local occupancy letting accommodation has been permitted to ensure that a traditional rural building is conserved in line with Development Policy 8 of the Local Plan.
5.	RSU000	The Local Planning Authority do not consider there is any justification to retain the static caravan once the new dwelling is being constructed and to protect the amenity of the area and ensure compliance with Core Policy A of the North York Moors Local Plan.
6-8.	MATS02	For the avoidance of doubt and in order to comply with the provisions of NYM Core Policy A and NYM Development Policy 3 which seek to ensure that the appearance of the development is compatible with the character of the locality and that the special qualities of the National Park are safeguarded.

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Background

High House Farm is a large farm unit, located on Pasture Road (which leads from David Lane) on the eastern side of the A169, out of the village centre of Lockton. Both David Lane and Pasture Road are scattered with farm holdings.

Outline Planning Permission was granted in July 2006 for the erection of a farm workers dwelling on the holding, for the applicants son.

The reserved matters application was approved in 2007 and sought permission to construct a 3 bed dwelling with a small study at first floor and 3 separate living spaces at ground floor.

As part of that permission an existing annex attached to the main house was restricted by condition to be either an annex, holiday let or agricultural workers dwelling. This application seeks permission to give it greater flexibility and to be able to let out as a local occupancy letting unit.

Main Issues

Core Policy J of the Local Development Framework seeks to ensure the provision of a mixture of housing types and tenure to maintain the vitality of local communities, consolidate support for services and facilities and support the delivery of more affordable housing. This is to be achieved through locating all open market housing, including new build and converted units to the Local Service Centre of Helmsley and the Service Villages, as well as other measures including supporting the development of local needs housing within the main built up area of the local service villages and other villages, and restricting new housing development in the Open Countryside to that which is proven as essential for farming, forestry or other essential land management activities.

Development Policy 8 of the NYM Local Development Framework seeks to permit the conversion of traditional unlisted rural buildings which are situated within an existing group, for an employment use, short term self-catering holiday accommodation, residential annexe to an adjacent existing dwelling or long term/permanent residential letting units for local occupancy, where the building is of architectural or historic importance, and makes a positive contribution to the character of the area, is structurally sound, is of sufficient size to accommodate the proposed use without the need for significant alterations or extensions, is compatible in nature, scale and levels of activity with the locality, is of a high quality of design and does not required changes to the buildings curtilage or new vehicular access or parking areas.

Permission has already been granted for this traditional building to be converted into various forms of residential use as a residential annex, holiday cottage and agricultural workers accommodation. The building is also located within a group of residential accommodation.

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Core Policy J supports the conversion of traditional rural buildings for a variety of uses, including residential letting for local needs, subject to a number of criteria.

The supporting text to Core Policy J makes it clear that letting units will be 'tied' to the main house by means of condition

In view of the above it is considered that the proposal would be in accordance with Development Policy 8 and Core Policy J of the NYM Local Development Framework.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

Approval (No Amendments Required)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to improve the economic, social and environmental conditions of the area.

A. Khan 28/4/16