

North York Moors National Park Authority

Borough: Scarborough Borough Council (North)
Parish: Egton

Application No. NYM/2018/0201/FL

Proposal: demolition of single storey metal addition and conversion of redundant buildings to 1 no. holiday letting cottage with link extension with associated parking and amenity space together with repositioning of replacement garden shed

Location: The Forge, High Street, Egton

Decision Date: 28 June 2018

Extended to:

Consultations

Parish - Object. Clarification re. the footpath through the neighbouring property is needed.

Highways - No objection. The access to the publicly maintainable highway is adequate. Any additional parking generated by the proposed development is not expected to have any significant impact on the public highway.

Yorkshire Water -

Environmental Health Officer - No objections.

Ramblers Association - Object. Undertaking the work will interfere with a public right of way but no steps have been specified to safeguard users of the public right of way while work is in progress. We therefore object to the proposal on the grounds that there are no plans for safeguarding the safety of walkers while the work is in progress.

Amended plans - We are content with the steps proposed to safeguard users of the PROW while work is in progress. We therefore withdraw our objection to the proposal.

Police (Traffic) -

National Amenity Societies - Society for the Protection of Ancient Buildings has no comments to make.

Advertisement Expiry Date - 15 June 2018.

Others - **Mr and Mrs Freeman, Market Place Cottage, High Street, Egton** - Concern. We welcome improvement to dilapidated buildings, removal of dangerous chimney stack and cleaning of an untidy site but have concern with the impact of the access running through our listed property, of traffic to the proposed carpark and feel that the entrance does not favour an increase in traffic. At the moment the applicants have a right of way through our garden to their paddock. It is a grassed area with a public footpath. The proposed plans show we would lose this grass approach to a hard surface detracting from its rural aspect. Currently the access can only be used weather permitting otherwise vehicles rut up the land making it difficult for walkers to use the footpath. We feel that any increased access to this proposed holiday let would totally destroy the green approach currently enjoyed.

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Mr and Mrs Freeman - Comments (continued.../)

The placement of a car parking area on the paddock would detract from the present rural approach. The entrance between the outside gate and road is a shared narrow access between our property and the Wheatsheaf Inn property. We think that this shared access does not favour any increase in traffic. There is a car park at the back of the inn, plus four houses adjacent to the pub carpark that all use this exit plus delivery lorries for the inn; it is a very busy thoroughfare. This entrance is also opposite a busy road junction from Glaisdale to Egton. The track is unsuitable for building vehicles to pass over. The plans offer no clarity on the hard surface needed.

Janet Dodds, Chapelgarth, Egton Bridge - Regarding the public footpath which goes through Market Place Cottage garden, one paddock, two fields and then to the back of Egton Lane, I have noticed an application to convert the buildings near the footpath into a holiday let. I use the footpath regularly and I am very concerned about the loss of this path, particularly it becoming dangerous to all walkers because a holiday let will increase traffic across what is essentially a public footpath.

Director of Planning's Recommendation

Approval subject to the following conditions:

1. **Standard Three Year Commencement Date**

The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.

2. **Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified**


The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

Document Description	Document No.	Date Received
Location Plan	N/A	04 April 2018
Site Layout/Block Plan	2327:5 Rev A	27 July 2018
Elevations as Proposed	2327:4 Rev A	27 July 2018
Plan as Proposed	2327:3 Rev A	27 July 2018
Garden Shed Plan	2327:6	04 April 2018

or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.


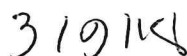
3. **Use as Holiday Accommodation Only - Inside Villages**

The dwelling unit hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year.

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4. **Stone to be Approved**
No work shall commence on the construction of the walls of the development hereby permitted until details of the stone, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development including for walling and dressings have been submitted to and approved in writing by the Local Planning Authority. The stone used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
5. **Doors - Details of Construction to be Submitted**
No work shall commence on the installation of any door in the development hereby approved until detailed plans showing the constructional details and external appearance of all external doors and frames (and glazing if included) have been submitted to and approved in writing by the Local Planning Authority. All doors shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
6. **Detailed Plans of Window Frames Required**
No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames shall be installed in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
7. **Flues to be Coloured Matt Black**
All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
8. **Exterior Paint Scheme**
No work shall commence to paint or black stain external joinery in the development hereby approved until a scheme for the painting or staining of all external joinery has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the proposed treatment for doors, windows, shutters, stable doors and any other exterior joinery fixtures. The works shall be carried out in accordance with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9. **External Fixtures**
No work shall commence on the installation of any external fixtures to the building to which this permission 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, 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.
10. No work shall commence to clear the site in preparation for the development hereby permitted until full details of the parking and access surfacing have been submitted to and approved in writing by the Local Planning Authority. The parking and access surfacing shall then be implemented in accordance with the approved details and shall be maintained in that condition in perpetuity.

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11. Work which could affect bats (to exterior walls, roof, roof timbers or cladding) must not proceed until after 15 September and be substantially complete by or not start after 15 May. As the existing structures contain some potential roosting opportunities (through gaps under tiles, cracks in stonework etc.) it is the applicant's responsibility to ensure that bat roosts are not destroyed through the proposed conversion. If these opportunities are to be lost (through re-roofing work etc.), then alternative provision of potential roosting sites (bat boxes, bricks, tiles or other alternative) must be provided within the renovated structure and the immediate vicinity to ensure any returning bats have the opportunity to roost. Details of the proposed alternative roost provision must be submitted to the Local Planning Authority and approved in writing before any works can commence. If work is to commence out with of the given period, an emergence survey must be carried out by a suitably qualified ecologist and submitted to the Authority for its written approval prior to any works taking place.

Informatives

1	<p>Bats</p> <p>All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats etc.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 for further advice. This is a legal requirement under the Wildlife and Countryside Act 1981 (as amended) and applies to whoever carries out the work. All contractors on site should be made aware of this requirement and given information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.</p>
2	<p>MISC INF 12 Birds</p> <p>Under Section 1 of the Wildlife and Countryside Act 1981 (as amended), wild birds are protected from being killed, injured or captured, while their nests and eggs are protected from being damaged, destroyed or taken. In addition, certain species such as the Barn Owl are included in Schedule 1 of the Act and are protected against disturbance while nesting and when they have dependent young. Offences against birds listed in Schedule 1 of the Wildlife and Countryside Act are subject to special penalties. An up-to-date list of the species in Schedule 1 is available from Natural England</p> <p>http://www.naturalengland.org.uk/ourwork/regulation/wildlife/species/speciallyprotectedbirds.aspx. Further information on wildlife legislation relating to birds can be found at www.rspb.org.uk/images/WBATL_tcm9-132998.pdf.</p> <p>If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or conservation@northyorkmoors.org.uk.</p>
3	<p>Development in Accordance with Listed Building consent</p> <p>Listed Building consent has also been granted for this development. You are advised to obtain sight of the notice of Listed Building consent 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 Listed Building consent.</p>

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Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of NYM Core Policy A and NYM Development Policy 3, which seek to conserve and enhance the special qualities of the NYM National Park.
3. The site is in a position where the permanent occupation of the accommodation hereby permitted as a separate independent dwelling unit would be likely to be detrimental to the residential amenities of existing and future occupiers of the holiday accommodation and main dwelling.
4. 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 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.
5. 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.
8. In order to ensure that the development is carried out in a manner which safeguards the historic fabric of the building and to comply with the provisions of NYM Core Policy G, which seeks to ensure that alterations to Listed Buildings do not have an unacceptable impact on the special historic or architectural interest of the building.
9. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.
10. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.
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Background

The Forge is a traditional semi-detached property located close to the centre of Egton, opposite the junction with Glaisdale Lane, next door to the Horseshoe public house. At the rear of the property is a good sized garden with a range of traditional outbuildings, some modern but dilapidated sheds and a paddock beyond. The property is grade II listed and is situated within the village Conservation Area.

The application relates to the former agricultural buildings at the rear of the Forge and seeks full planning permission for the conversion of the building to 1no. holiday let. The outbuilding which is the subject of this application is single storey, constructed of stone under a pitched pantile roof. The building was originally designed to house livestock and is characterised by good quality stonework, modest, irregular openings, ventilation slit openings on the west elevation and internally the building is divided to two separate pigsties (accessed directly from outside), has a partial partition wall, feed troughs, floor channel and mezzanine floor. It is attached to a similar but larger building which is in the ownership of the pub next door. At right angles to the building is another, very small stone under pantile building with a tall brick chimney stack, understood to have previously been used as a wash house in connection with the pub. A single storey corrugated sheet building has been constructed along the west facing elevation of the main outbuilding and is now in a poor state of repair.


The scheme proposes to link the former wash-house to the main barn by a small glazed link extension, removal of the unstable brick chimney stack, glazing of all openings in the main barn, removal of internal partitions to create 1no. bedroom in the former pigsties, an entrance hall, shower room and lounge area with kitchen/diner provided in the former wash house. It is proposed to block the existing openings in the wash house which overlook the pub garden and provide new openings in the south elevation facing the Forge garden. Access would be provided via the existing track leading from High Street and adjacent the neighbouring property known as Market Place Cottage. It is proposed to provide vehicular parking to the south of the building, surfaced with gravel.

It is also proposed to replace and reposition the garden store.

Following comments from the Authority's specialist Building Conservation Officer, requests to amend the scheme were made in order to better preserve the character of the building and to re-organise the internal layout to reduce pressure for additional openings. The applicant was reluctant to change the layout plan but minor revisions have been made to the fenestration detailing, confirmation of the retention of existing/original features and reduction in the area of hard landscaping for car parking.

Main Issues

The relevant policies contained within the NYM Core Strategy and Development Policy Document to consider with this application are Core Policy G (Landscape, Design and Historic Assets), Development Policy 4 (Conservation Areas), Development Policy 5 (Listed Buildings), Development Policy 14 (Tourism and Recreation) and Development Policy 19 (Householder Development) together with the advice contained within Part 4 of the Authority's adopted Design Guide in relation to the Re-use of Traditional Rural Buildings.

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CPG seeks to ensure that the landscape, historic assets and cultural heritage of the National Park are conserved and enhanced, with particular protection being given to those elements which contribute to the character and setting of Conservation Areas.

DP4 seeks to ensure that development within or immediately adjacent to a Conservation Area either preserves or enhances the character and appearance or setting of the area and that the scale, proportions, design and materials respect the existing architectural and historic context with particular reference to traditional buildings, street patterns, the relationship between buildings and spaces and views into and out of the area.

DP5 only permits alterations, extensions or changes of use of a Listed Building, or the construction of any structure within its curtilage where such development will not have an unacceptable impact on the special historic or architectural interest, or the setting of the listed building.


DP14 seeks to ensure that new tourism development and the expansion or diversification of existing tourism businesses will be supported where the proposal will provide opportunities for visitors to increase their understanding, awareness and enjoyment of the special qualities of the National Park; where the development can be satisfactorily accessed from the road network (by classified roads) or by other sustainable modes of transport including public transport, walking, cycling or horse riding; where the development will not generate an increased level of activity; where it will make use of existing buildings and where proposals for new accommodation do not have an adverse impact on the character of the local area.

DP19 states that proposals for extensions or alterations to dwellings, or other development within the domestic curtilage will only be supported where the scale, height, form, position and design does not detract from the character of the original dwelling and its setting; the development does not adversely affect the amenities of neighbouring occupiers, or that of the existing dwelling.

The host building is considered to be of sufficient quality, age and in suitable condition for conversion under the current policy context. It is an attractive building which provides a positive contribution to the character, form and appearance of the conservation area and by virtue of its listed status, it is considered desirable to secure an acceptable alternative use in order to ensure it is preserved in the long-term.

The Authority's Building Conservation Officer has identified that the buildings have several features of interest including simple stone corbels that carry locally distinctive rainwater goods, chamfered doorways and distinctive ironmongery. Whilst the scheme involves the loss of internal walls which would normally be discouraged, in view of the late construction date (1908), the internal features are of lesser significance. However, suggestions and recommendations were provided in respect of the internal floor layout together with retention of the mezzanine, pig troughs and revised window treatment. An objection was lodged however, in relations to the creation of a formal area of hardstanding or surfaced access which would erode the site's rural/agricultural character. Instead, the use of traditional twin vehicle tracks in stone or gravel would be acceptable.

The Ramblers Association also lodged an objection based on the lack of clarity regarding access over the Public Right of Way which runs through the site.

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The applicant's agent has confirmed some of the requested amendments will be incorporated into the scheme and revised plans were submitted. In brief, the agreed revisions include a revised design to the south elevation of the smaller building; changes to the window designs proposed to be fitted to existing stable door openings (serving former pigsty) to include timber boarded lower panels; retention of existing cast iron rainwater goods; retention of mezzanine floor; retention of pig troughs and agreement to twin trod access and reduced parking area.


The Building Conservation Officer has assessed the amended details and advised that the detailing is much improved and therefore confirmed there are no longer any objections to the scheme but conditions are recommended.

The application has also attracted concern for local residents in relation to highway, parking and Public Right of Way Issues. The exact line of Egton footpath 66 which runs along the line of the vehicular access and through the domestic land to the rear of the properties is unclear and the Ramblers Association has objected to the scheme based on lack of information. In response to the Ramblers Association objection, the agent provided written confirmation that the footpath would remain open throughout the construction period and thereafter with the construction site separated by Heras fencing. The Ramblers Association later withdrew their objection.

However, notwithstanding the above, the Authority's area Ranger identified that the footpath was already obstructed by sheds and a boundary with an alternative route in use. The Ranger has since met with both property owners to resolve the issues relating to the line of the Right of Way and confirmation has since been received to confirm that matters have been resolved and the Authority's maintenance team will be undertaking improvement works.

The Authority's Ecologist initially expressed concern with regard to the possibility of the buildings being suitable for bat roosts and requested a scoping survey to be carried out. The application as submitted included a Protected Species Assessment Report which had been overlooked. The Ecology Team has since assessed the report and advised that although the structures were all assessed as being of relatively low potential for bat roosting, the report did observe several potential opportunities for roosting under the roof tiles of the buildings which could not be individually checked, and also some limited potential internally.

A single emergence survey is recommended in the report order to ensure there is no roosting in the buildings. This would be ideal in order to be sure there will be no impact on roosting bats. I am however aware that the window for this work is now very limited, as bats will only be active for another few weeks before searching for hibernation sites, after which point an emergence survey would have to be carried out in the spring. If the applicant will not be able to procure an emergence survey this year (and is unwilling to wait until next spring for the application to be determined), then given the assessment of low potential of roosting it could be possible to secure any bat roosts through condition as the site would be highly unlikely to support hibernating bats and thus could be safely worked on in the winter months.

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Officers have considered the above advice and in view of the low potential for roosting bats and the Ecologist's willingness to allow the development to proceed subject to a recommended condition, it is recommended that the application progress subject to the condition provided by the Authority's specialist.

The Highway Authority has confirmed that access to the highway is acceptable and any additional parking generated by the proposed development is not expected to have any significant impact on the public highway. Consequently, no objections are offered.

The revised proposal is considered to represent a sympathetic conversion scheme and respects the character of the listed building and its setting. There being no further material planning representations made, approval is recommended.

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

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating, with the Applicant, acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

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