

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
Parish: Fylingdales

Application No. NYM/2018/0623/FL

**Proposal:** Demolition of modern buildings and conversion of and extension to redundant buildings to form 3 no. holiday cottages with associated parking and landscaping works

**Location:** Fern Farm, Normanby

**Decision Date:** 25 January 2019

## Consultations

**Parish** – Support the application as it will make good use of redundant barns for holiday accommodation.

**Highways** – No objections.

**Natural England** – No objections.

**Environmental Health Officer** – No objections on housing or environmental health grounds.

**Police Designing Out Crime Officer** – No objections but recommends secure cycle storage be provided and lighting to the car parks.

**Site Notice Expiry Date** – 11 January 2019

## Director of Planning's Recommendation

**Approval** subject to the following condition(s):

1.	<b>Standard Three Year Commencement Date</b> The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.																																	
2.	<b>Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified</b> The development hereby permitted shall not be carried out other than in strict accordance with the following documents: <table border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Block/Site Plan</td><td>CHW015</td><td>18 Sep 2018</td></tr><tr><td>Site Location Plan</td><td>CHW017</td><td>23 Nov 2018</td></tr><tr><td>Proposed Plan View</td><td>CHW029</td><td>22 Jan 2019</td></tr><tr><td>Proposed Layout</td><td>CHW022</td><td>22 Jan 2019</td></tr><tr><td>Proposed Elevations West Barn</td><td>CHW025</td><td>22 Jan 2019</td></tr><tr><td>Proposed Elevations West Barn</td><td>CHW031</td><td>22 Jan 2019</td></tr><tr><td>Proposed Elevations East Barn</td><td>CHW026</td><td>22 Jan 2019</td></tr><tr><td>Proposed Elevations East Barn</td><td>CHW027</td><td>22 Jan 2019</td></tr><tr><td>Proposed End Elevations</td><td>CHW030</td><td>22 Jan 2019</td></tr><tr><td>Proposed End Elevations</td><td>CHW032</td><td>22 Jan 2019</td></tr></tbody></table> or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.	Document Description	Document No.	Date Received	Block/Site Plan	CHW015	18 Sep 2018	Site Location Plan	CHW017	23 Nov 2018	Proposed Plan View	CHW029	22 Jan 2019	Proposed Layout	CHW022	22 Jan 2019	Proposed Elevations West Barn	CHW025	22 Jan 2019	Proposed Elevations West Barn	CHW031	22 Jan 2019	Proposed Elevations East Barn	CHW026	22 Jan 2019	Proposed Elevations East Barn	CHW027	22 Jan 2019	Proposed End Elevations	CHW030	22 Jan 2019	Proposed End Elevations	CHW032	22 Jan 2019
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3.	<p><b>Use as Holiday Accommodation Only - Outside Villages</b> 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.</p>
4.	<p><b>Holiday Unit Not Sold or Leased Separately - Outside Villages (inserts)</b> The holiday unit(s) hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Fern Farm and shall not be sold or leased off from the main dwelling or let off except as holiday accommodation in accordance with the terms of condition 3 above without a further grant of planning permission from the Local Planning Authority.</p>
5.	<p>Any new stonework, brickwork and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.</p>
6.	<p>All new window frames, glazing bars, external doors and door frames shall be of timber construction or powder coated aluminium, to be first agreed in writing with the Local Planning Authority and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
7.	<p>No work shall commence to colour/paint the windows and doors in the development hereby approved until details of the colour/finish of the windows and doors has been submitted to and approved in writing by the Local Planning Authority. The work shall be completed in accordance with the approved details within six months of being installed and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
8.	<p>The external face of the frame to all new windows shall be set in a reveal of a minimum of 75mm from the front face of the adjacent walling and the frame to all new doors shall be set in a reveal so as to be flush with the inside face of the adjacent walling. The windows and doors shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.</p>
9.	<p><b>Trickle Vents Shall Not be incorporated into Windows</b> Trickle vents shall not be incorporated into any new windows hereby approved and shall not be installed thereafter unless otherwise agreed in writing with the Local Planning Authority.</p>
10.	<p><b>Exterior Paint Scheme</b> No work shall commence to paint or 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.</p>
11.	<p><b>External Lighting - Submit Details</b> No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.</p>

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12.	<p><b>Landscaping Scheme Required (insert)</b></p> <p>Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for native hedge and tree planting to the east of the buildings as shown on Drawing No. CHW029 and shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.</p>
13.	<p><b>Details of Hardsurfacing to be Submitted</b></p> <p>Prior to the development being brought into use full details of the hardsurfacing to be utilised on the site shall be submitted to and approved in writing by the Local Planning Authority, including a timetable to implement the proposed works. The hard landscaping works shall then be implemented in accordance with the approved details. The hard landscaping shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.</p>
14.	<p><b>Bat Survey Submitted</b></p> <p>The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 7.2 of the submitted Bat Survey dated October 2018 by Wold Ecology.</p>
15.	<p>No work shall commence on the conversion of the buildings hereby approved during the bird breeding season (between 1 March and 31 August inclusive) unless a breeding bird check is first carried out by a suitably qualified person immediately (within 24 hours) of works commencing so as to determine the extent of any breeding bird presence and provide a written scheme of mitigation if necessary.</p>
16.	<p>This permission has been granted in accordance with the details specified in the survey prepared by Close, Granger, Gray &amp; Wilkin received on 30 November 2018. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.</p>

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**Informatives****1 Bats**

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 Birds**

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

<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](http://www.rspb.org.uk/images/WBATL_tcm9-132998.pdf).

If advice is needed please contact the National Park Authority's Conservation Department on 01439 772700 or [conservation@northyorkmoors.org.uk](mailto:conservation@northyorkmoors.org.uk).

**Reason(s) for Condition(s)**

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 location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
4.	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
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 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. - 10.	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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11.	In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
12.	In order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that new development incorporates a landscaping scheme which is appropriate to the character of the locality and retains important existing features.
13.	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.
14. & 15.	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.
16.	In order to ensure that the development is carried out in a manner which safeguards the existing fabric of the building and to comply with the provisions of NYM Development Policy 8.



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**Background**

Fern Farm lies on the west side of the A171 approx. 6 KM to the southeast of Whitby at High Normanby. It comprises the main farmhouse built of stone under a pantile roof with brick stacks along with a range of traditional and modern agricultural buildings. The applicant already operates a bed and breakfast business from the farmhouse and has diversified into Christmas Trees.

Planning permission is sought to convert the two detached, singles storey stone outbuildings into three holiday cottages. The proposal also includes the removal of one of the modern buildings to expose the rear elevation of the western barn and also provide amenity space and car parking.

**Main Issues**

The relevant policies of the Core Strategy and Development Policies Document are Core Policy G (Landscape, Design and Historic Assets) and Development Policies 3 (Design) and 8 (Conversion of Traditional Unlisted Rural Buildings).

The buildings are attractive stone structures that are in a good structural condition having been well maintained by the applicant and recently reroofed. They are capable of conversion therefore without requiring significant rebuilding and are of a size to provide three modest holiday cottages without the need for any extensions. The proposed scheme of conversion has been amended since originally submitted to make better use of the existing openings and preserve the simple functional form and traditional character of the buildings and the 'wheelhouse' extension has been omitted.

The proposed parking areas and amenity spaces are well related to the buildings and will not be unduly prominent in the wider landscape setting of the farm.

The holiday accommodation will be managed from the host dwelling Fern Farm to which it is physically closely related and a condition preventing the units being sold off separately is proposed in addition to an occupancy condition.

As such the proposal is considered to comply with Core Policy G and Development Policies 3 and 8 of the Core Strategy and Development Policies Document and approval is recommended.

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

The Local Planning Authority has acted positively in determining this application by assessing the scheme against the Development Plan and other material considerations and subsequently granting planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.