

# North York Moors National Park Authority

District/Borough: Scarborough Borough Council  
(South)  
Parish: Staintondale

Application No. NYM/2018/0052/FL

**Proposal: conversion of and porch extension to redundant farm buildings to form 4 no. holiday cottages with associated parking together with reduction in size of existing portal framed agricultural building**

**Location: Rudda Farm  
North Side  
Rudda Road  
Staintondale**

**Decision Date: 13 June 2018  
Extended to: 21 February 2019**

## Consultations

**Parish** – No objections

**Highways** – Conditional approval - The application is for the conversion of existing farm buildings into holiday letting cottages. There will be four units consisting of three two bedroomed cottages and one three bedroomed cottage. According to NYCC's "Interim Guidance on Transport Issues and Parking Standards" requires a minimum of two off street parking spaces per two or three bedroomed dwelling in a rural area, therefore a minimum of eight spaces would be required for the holiday letting units. The applicant has shown nine will be provided in total. There are also two existing dwellings within the application site, no information is provided regarding the size of these dwellings or the number of bedrooms within them. Given that there is space within the curtilage of the site for additional parking, the applicant should provide further drawings to show where that off street parking can be provided, within the site, for all dwellings, both proposed and existing. The existing access is large and constructed with adequate visibility.

**Environmental Health Officer** – No objections

**Site Notice Expiry Date** – 22 May 2018

## Director of Planning's Recommendation

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

1. The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.
2. The development hereby permitted shall not be carried out other than in strict accordance with the following documents:

<b>Document Description</b>	<b>Document No.</b>	<b>Date Received</b>
Site plan as proposed	ME RF 1709 6A	11 July 2018
Ground and first floor plan	ME RF 1709 2B	11 July 2018

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

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**Application Number: NYM/2018/0052/FL**

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3. 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.
4. The dwelling unit(s) 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.
5. The holiday unit(s) hereby permitted shall form and remain part of the curtilage of the existing dwelling known as Ruddy 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 4 above without a further grant of planning permission from the Local Planning Authority.
6. External Lighting - Submit Details  
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.
7. This permission has been granted in accordance with the details specified in the survey prepared by Richard Agar Associates Ltd (Consulting Civil & Structural Engineers) received on 18 April 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.
8. All 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.
9. 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.
10. 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.
11. 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.
12. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number ME RF 1709 6A for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.
13. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number 12:
  - i) are available for use unless otherwise approved in writing by the Local Planning Authority.Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

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**Application Number: NYM/2018/0052/FL**

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14. The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 7.2, 7.3 and 7.4 of the submitted Bat Survey dated August 2018.
15. If works to the building commence between March and September it will be necessary for a bird nest check to be carried out by a suitably qualified person immediately prior (within 24 hours) to works commencing. If any nests are observed within the structure then these must be left undisturbed until the chicks fledge and the nest is abandoned.

**Informatives**

1. The proposals shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at [www.northyorks.gov.uk](http://www.northyorks.gov.uk)
2. A development licence will be required from Natural England before works take place. Obtaining a licence will require further checks of the building between May and August. The Local Planning Authority should be provided with a copy of the licence once obtained.
3. 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.
4. 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/speciallyprotectedbirt.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).

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**Application Number: NYM/2018/0052/FL**

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**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. 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.
4. 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.
5. 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.
6. 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.
7. 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 5.
8. 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.
9. 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.
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.
11. 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.
12. In accordance with NYM Development Policy 23 and to ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.
13. In accordance with NYM Development Policy 23 and to provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
14. 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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Application Number: NYM/2018/0052/FL

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**Application Number: NYM/2018/0052/FL**

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**Background**

Rudda farm is located at the northern end of Staintondale on Rudda Road. It is a working farm of more than 450 acres. The farm complex comprises a farm bungalow (with an agricultural occupancy restriction) and farm house with an L-shaped range of two storey traditional red brick and pantile farm buildings at the rear.

Planning permission was granted in 2011 to convert the outbuildings into domestic accommodation to provide either holiday accommodation or annex accommodation to the main house. Planning permission had previously been granted for this development in 1997 and 2002 but all have expired without being implemented.

This application seeks full planning permission to convert the L-shaped range of buildings into four holiday cottages, one of which would be single storey with two bedrooms, the others utilising the roof space to provide a first floor and providing two 2 bedroom and one 3 bedroom cottage. Good use is made of existing openings and a small lean-to porch is proposed in the corner of the "L".

It is also proposed to remove one bay of an existing modern barn and a lean-to adjacent the barns to improve lights to the barns.

A structural report has been submitted with the application which concludes that the building is sound and is suitable for conversion.

A bat survey has also been submitted which concludes that whilst a number of pipistrelle day roosts may be destroyed as a result of the proposed works, the buildings are unlikely to hold a maternity roost and so reasonable mitigation measures can be incorporated.

**Main Issues**

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 require changes to the buildings curtilage or new vehicular access or parking areas.

This application relates to the conversion of a traditional group of buildings which are well related to the existing residential accommodation at the front of the site. The conversions would retain the character of the existing buildings and would be occupied as holiday cottages.

The issues raised by the Highway Authority have been resolved through the provision of a more detailed parking plan, and a more detailed bat survey has been submitted which satisfies the concerns raised by the Authority's Ecologist.

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**Application Number: NYM/2018/0052/FL**

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Bird nests have also been observed in the building and if works to the building commence between March and September it will be necessary for a nest check to be carried out by a suitably qualified person immediately prior (within 24 hours) to works commencing.

In view of this the proposal is considered to be in accordance with Development Policy 8 of the NYM Local Development Framework and approval is therefore recommended.

**Explanation of how the Authority has Worked Positively with the Applicant/Agent****Approval (Amendments Requested and Received)**

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including inclusion of timber windows, amendments to fenestration details and details of parking layout, so as to deliver sustainable development.