

North York Moors National Park Authority

District/Borough: Ryedale District
Parish: Lockton

Application No. NYM/2017/0409/OU

Proposal: outline application for construction of 1 no. agricultural workers dwelling
with associated access, garage, parking and garden area

Location: Low Pasture Villa Farm
Pasture Road
Lockton

Decision Date: 03 August 2017

Consultations

Parish – No objections

Highways – No objections

Environmental Health Officer -

Site Notice Expiry Date – 7 July 2017

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME04	The development hereby permitted shall be commenced on or before whichever is the earlier of the following dates: i) three years from the date of this permission; ii) the expiration of two years from the final approval of the reserved matters or in the case of approval on different dates, the final approval of the last such matter to be approved.
2.	RSUO06	The occupation of the dwelling 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.
3	RSUO07	The occupation of the existing dwelling known as Low Pasture Villa Farmhouse shall from the date of the commencement of the development hereby permitted 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.

Signature:



Date:

31/7/17

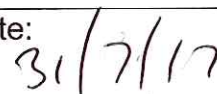
Application Number: NYM/2017/0409/OU

4.	WPDR01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (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 40 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.	GACS07	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.
6.	MATS02	No work shall commence on the construction of the walls and roof of the development hereby permitted until details of the stone and tiles, including samples if so required by the Local Planning Authority, to be used for the external surfaces of the development (including dressings) have been submitted to and approved in writing by the Local Planning Authority. The materials used shall accord with the approved details and shall be maintained in that condition in perpetuity unless otherwise agreed with the Local Planning Authority.
7.	MATS06	No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained until the development hereby approved has been completed.
8.	MATS22	All pointing in the development hereby permitted shall accord with the following specification – a lime mortar mix of 1:2 ¹ / ₂ (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
9.	MATS43	No work shall commence to stain/paint the windows in the development hereby approved until details of the paint colour/finish of the windows has been submitted to and approved in writing by the Local Planning Authority. The work shall not be carried out otherwise than in accordance with the approved details, completed within six months of the date of installation and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	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.
11.	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.

Signature:



Date:



Application Number: NYM/2017/0409/OU

12.	DRGE01	No work shall commence on excavation works to install drainage to serve the development hereby permitted until full details of the proposed means of disposal of foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details.
13.	HWAY14a	Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority: i) vehicular and cycle parking; ii) vehicular turning arrangements;
14.	HWAY14b	No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition number: 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.
15.	LNDS01	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 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.
16.	LNDS02A	All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Signature:



Date:

31/7/17

Application Number: NYM/2017/0409/OU

Informative(s)

1.	In relation to condition 12 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
----	--

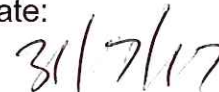
Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSUO06	The site of the proposed dwelling is in an area where NYM Core Policies B and J and Planning Policy Statement 7 seek to restrict new residential development to that which is essential to the needs of local agriculture.
3.	RSUO07	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.	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.
5.	GACS01	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.
6 - 8.	MATS01	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 - 11.	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.
12.	DRGE01	To avoid pollution of watercourses and to comply with the provisions of NYM Development Policy 1, which seeks to ensure that new development has satisfactory provision for the disposal of foul and surface water.
13.	HWAY14A	In accordance with NYM Development Policy 23 and to ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development.
14.	HWAY14B	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.

Signature:



Date:



Application Number: NYM/2017/0409/OU

15 & 16.	LNDS1	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.
----------	-------	--

Background

This application is an outline application for a farm worker's dwelling at Low Pasture Villa Farm which is accessed from David Lane off the main A169 Pickering to Whitby Road, near Lockton. The farm is located at the very end of this lane, which leads to a concrete sleeper track to this isolated farmstead. However, it is visible from the A169 across the fields. The farm is owner occupied and extends 161 acres (77 ha). The farm is predominantly dairy with cattle and sheep contributing to its income.

The dairy enterprise extends to 70 cows for milking and rears its own replacements. There are also fattening cattle, sheep and arable land. The enterprise is a family run business but Mr Natrass senior is nearing retirement age, so labour is provided by Mr Natrass (Junior).

A full need justification has been submitted with the application which sets out the functional need and financial viability of the business.

There is currently only a single farm house on the site which is occupied by Mr Natrass Senior. Consequently it is proposed to construct a second dwelling on the site for Mr Natrass junior and his family, as the full time worker on the farm.

The proposed dwelling would be located on a level piece of land on the south western site of the farmstead, adjacent the farm access road, but away from the public footpath. All details are reserved.

In support of the application in terms of the proposed siting of the dwelling, the applicants agent has state that:

"The reason for the siting is firstly it is close to the buildings, including the new cow yard proposed in the other pending application. Also, at the top of the farm, there is a public right of way, and while this location would offer benefits in terms of supervision of the farm itself, it would also cause more concern for personal safety and security. The occupier will spend substantial amounts of time out of the house, but it is impractical with comings and goings all day and night to lock the doors. There is therefore an intruder risk. They also have lots of dogs that just run around, and they wouldn't be able to up there next to the path. The top close to the access is also the location for silage bale storage and I'm not sure where else they could easily go – these might not have been there when you visited the site. The alternative location enables supervision of the livestock from a position which is more private with better amenity for occupiers".

Signature: 	Date: 31/7/17
--	---------------

Application Number: NYM/2017/0409/OU

Main Issues

Core Policy J of the Local Development Plan 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.

The applicant's holding constitutes a long established agricultural business that has developed to its present position over many years and the financial evidence submitted demonstrates that it is financially viable. It is considered that the proposal would be in accordance with Criteria 3 of Core Policy J.

Case Law demonstrates that it is not reasonable to require a retired farmer to vacate his house to enable the next generation to carry on the farming enterprise and there is no other farmworkers accommodation available on the site, which is a functional need of this holding.

Furthermore, the proposed siting of this new dwelling is well related to the existing agricultural activity on the site and form immediate and wider views be seen against the backdrop of existing development.

Consequently subject to satisfactory details being submitted with a reserved matters application, it is not considered that this proposal would have a detrimental impact on the character of the locality of the special qualities of this part of the National park and consequently approval is recommended.

However, in order to ensure that both properties are available to meet future requirements of the farm holding it is recommended that both the proposed and existing farmhouses should be tied to agricultural/retried farmworker occupation.

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 maintain the economic, social and environmental conditions of the area.

Signature:



Date:

