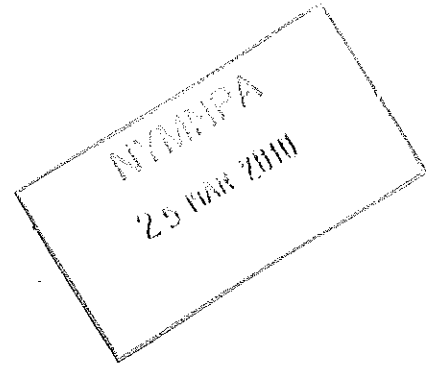


Hickling Gray Associates

11 Saturday Market, Beverley, East Yorkshire HU17 8BB
Tel 01482 883363

In association with

**Andrew Doughty
Architectural Design**



Application by Mr and Mrs N Hartley

**For Planning Permission for the carrying out of alterations to a
building at**

**Moorgate Lees Farm, Hawkser, Whitby, North Yorkshire
YO22 4JU**

**And to use it as altered as a studio in connection with a fashion
design business.**

Supporting Statement and Design and Access Statement.

This report has been prepared by Hickling Gray Associates and Andrew Doughty Architectural Design for Mr and Mrs N Hartley. No responsibilities are accepted to any third party for the whole or part of its contents.

Neither the whole nor any part of the report may be copied or included in any published document, circular or statement nor published in any way without our written consent. Neither may the document be used as part of a further application or appeal without our prior written agreement.

This does not apply to the copying of the report by a Local Planning Authority to whom it has been submitted as part of an application for planning permission etc. Neither is it intended to prevent that Local Planning Authority copying the report in whole or in part, or summarising it, for inclusion in a report of their own or publishing it on a website.

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Patrick J. Gray Dip TP MRTPI
Christopher C Kendall Dip TP MRTPI

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Note. The application forms state that the use as a farm ceased on the 1st January 2000. This is wrong. The applicants do not know when the use ceased but the Portal forms require a date to be given in response to this question.



- 1.0 Descriptive
- 1.1 Moorgate Lees Farm is an isolated farmstead in open countryside outside the village of Hawkser.
- 1.2 It is two storeys to the eaves.
- 1.3 The walls are of brick and the roof covered with concrete pantiles.
- 1.4 There is a range of outbuildings, generally of brick and pantile construction but there are some relatively modern buildings.
- 1.5 The applicants were born and raised in North Yorkshire. They have lived away from the County and now wish to return. They have purchased this property with the intention of restoring it for use as a family home. They would also like to renovate the farm buildings with the intention of running their textile / fashion design business from them. They will create some local employment but this is more likely to involve forming links with other people working from home or small premises, and communicating by telephone and computer, but who are close enough to be able to meet when necessary.
- 1.6 This application seeks permission for the creation of the home office / studio.
- 1.7 The use would be within Class B1;

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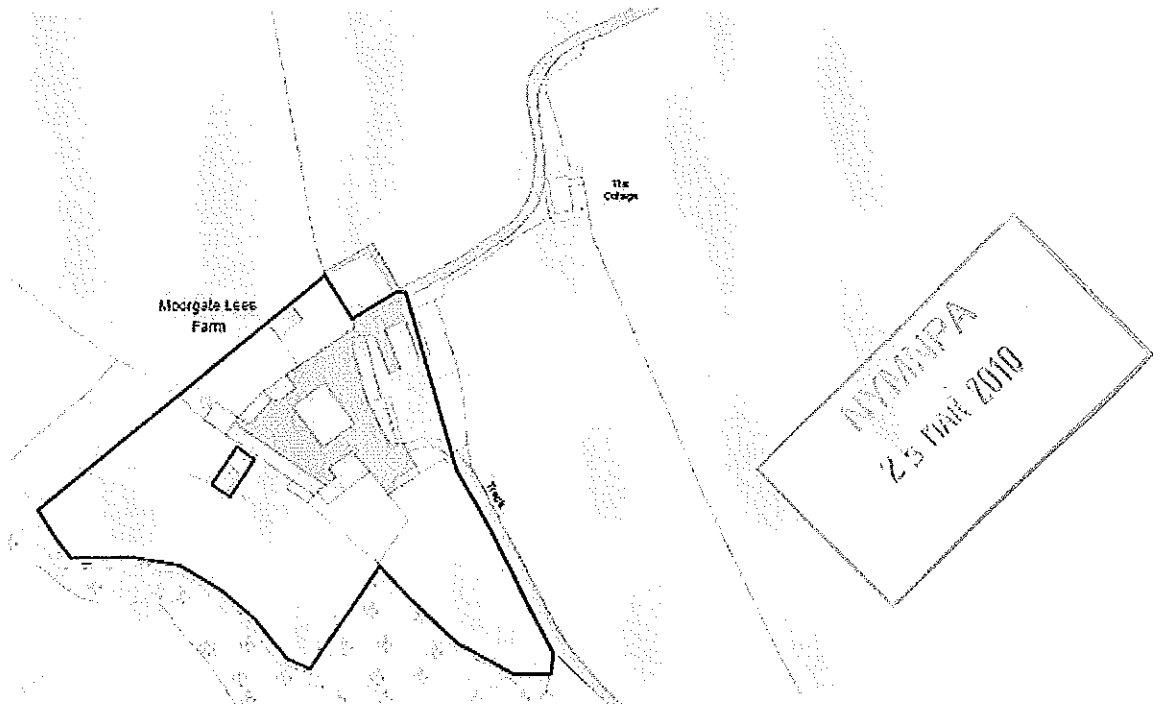
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Use for all or any of the following purposes -

- (a) as an office other than a use within class A2 (financial and professional services),
 - (b) for research and development of products or processes, or
 - (c) for any industrial process,
- being a use which can be carried out in any residential area without detriment to the amenity of that area by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.

1.8 The office/studio is to be created from part of the existing range of brick and pantile buildings. The building is shown edged in red;

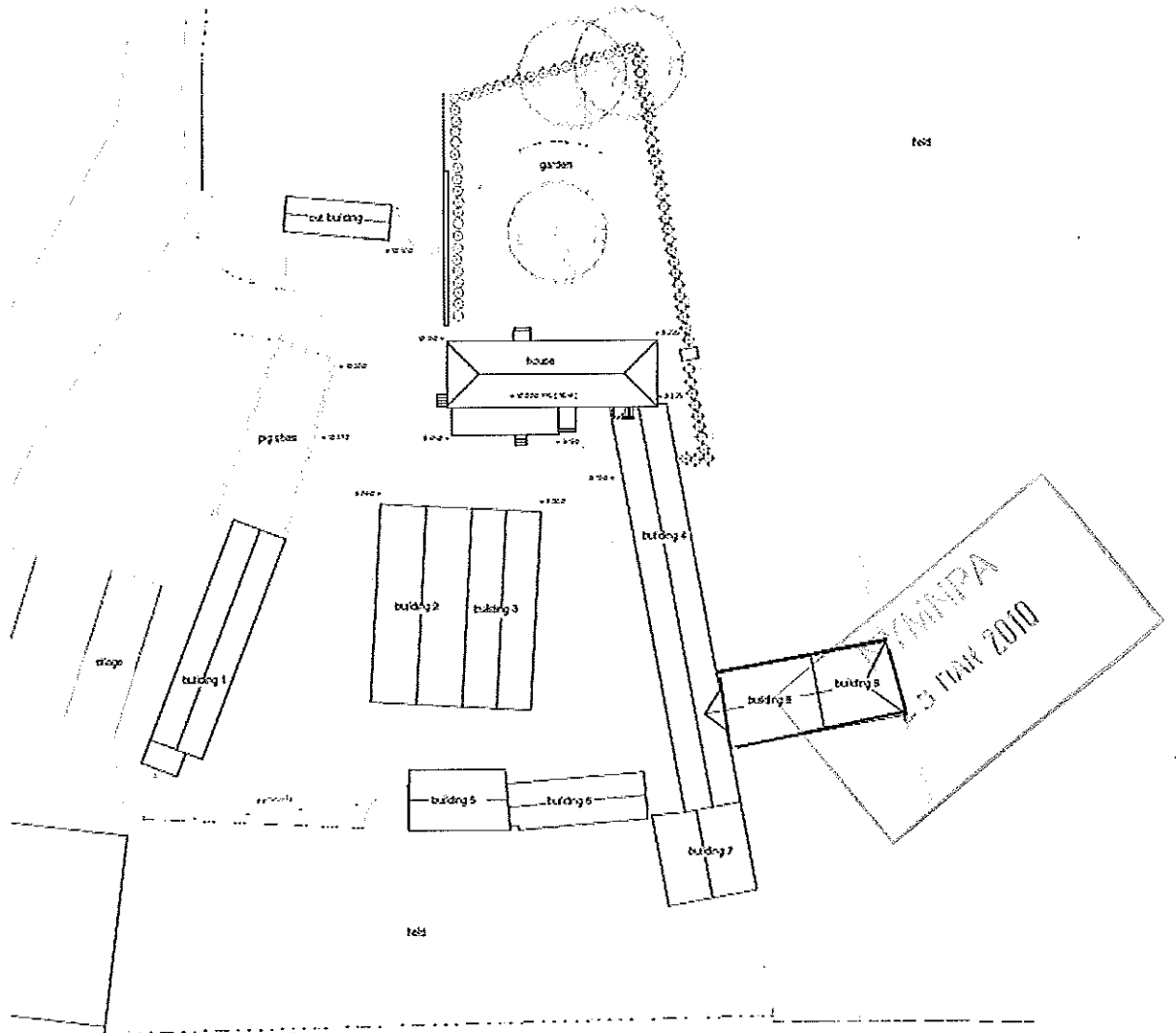


It is edged in blue on the more detailed plan, which has been reorientated to match the aerial photograph;

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1.9 It can now be located on the aerial photograph;

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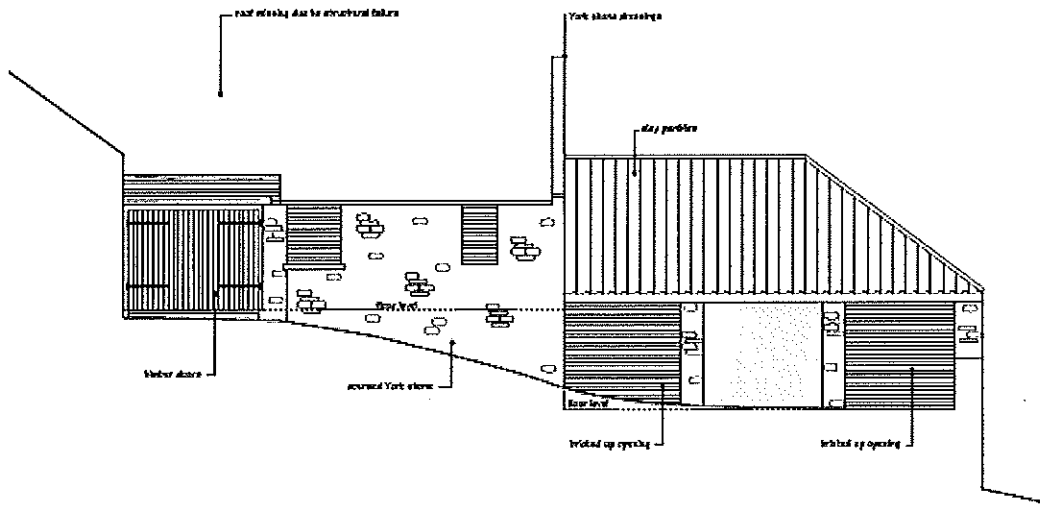
1.10 The building has lost part of the roof since the aerial photograph was taken.

NYM/PA
25 MAR 2010

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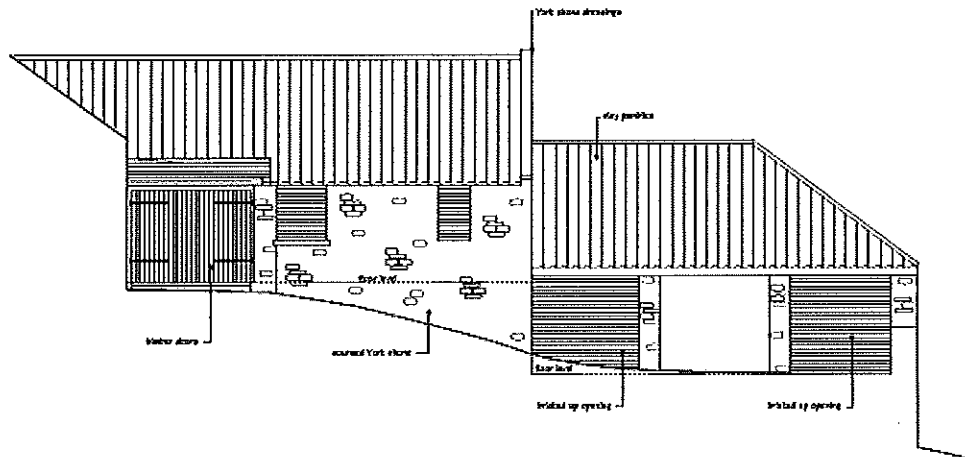
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EXISTING ELEVATION TO NORTH

1:50

1.11 It is believed that originally the building would have been;



EXISTING ELEVATION TO NORTH

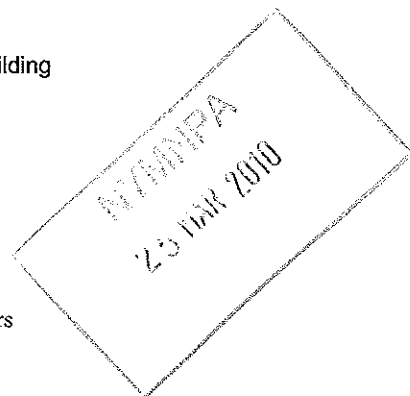
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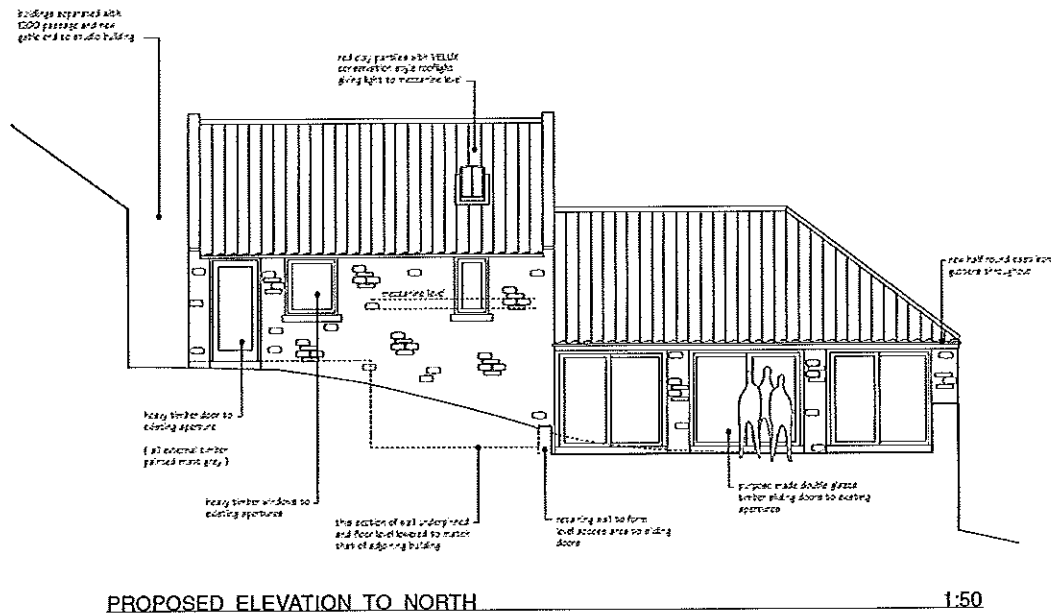
1.12 It is proposed to demolish that part of the building which links to the existing building

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2.0 Development Plan

- 2.1 The Development Plan consists of The Regional Spatial Strategy, North Yorkshire Structure Plan and the North Yorkshire Moors Core Strategy.
- 2.2 RSS is supportive of proposals for economic development.
- 2.3 The Core Strategy was adopted in 2008.
- 2.4 Development Policies 10 and 19 are relevant.

1.0 National Planning Policies

- 1.1 PPS1 encourages good quality design.
- 1.2 PPS4 deals with economic development. Although in a small way, this proposal does relate to economic development;

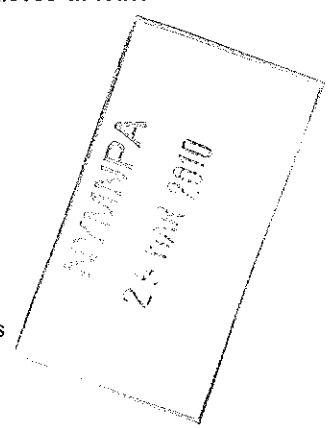
For the purposes of the policies in this PPS, economic development includes development within the B Use Classes, public and community uses and main town centre uses. The policies also apply to other development which achieves at least one of the following objectives:

1. provides employment opportunities
2. generates wealth or

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3. produces or generates an economic output or product

1.3 The Government expects Local Planning Authorities to take a positive approach;

EC10.1 Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

EC10.2 All planning applications for economic development should be assessed against the following impact considerations:

whether the proposal has been planned over the lifetime of the development to limit carbon dioxide emissions, and minimise vulnerability and provide resilience to, climate change

the accessibility of the proposal by a choice of means of transport including, walking, cycling, public transport and the car, the effect on local traffic levels and congestion (especially to the trunk road network) after public transport and traffic management measures have been secured

whether the proposal secures a high quality and inclusive design which takes the opportunities available for improving the character and quality of the area and the way it functions

the impact on economic and physical regeneration in the area including the impact on deprived areas and social inclusion objectives the impact on local employment .

1.4 The guidance on rural areas is;

EC12.1 Re-use of buildings in the countryside for economic development purposes will usually be preferable, but residential conversions may be more appropriate in some locations and for some types of building. In determining planning applications for economic development in rural areas, local planning authorities should:

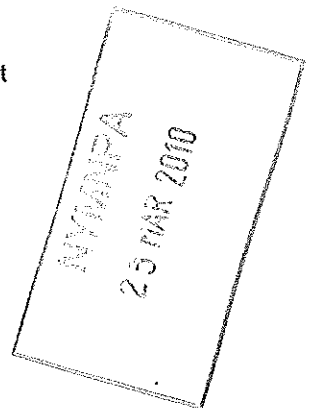
a. support development which enhances the vitality and viability of market towns and other rural service centres

b. support small-scale economic development where it provides the most sustainable option in villages, or other locations, that are remote from local service centres, recognising that a site may be an acceptable location for development even though it may not be readily accessible by public transport

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- c. take account of the impact on the supply of employment sites and premises and the economic, social and environmental sustainability of the area, when considering planning applications involving the loss of economic activity.
- d. approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of:
 - i. the potential impact on the countryside, landscapes and wildlife
 - ii. local economic and social needs and opportunities
 - iii. settlement patterns and the level of accessibility to service centres, markets and housing
 - iv. the need to conserve, or the desirability of conserving, heritage assets and
 - v. the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion

2.0 Discussion

2.1 Development Policy 10 of the Core Strategy includes;

C In the Open Countryside the re-use of an existing building for employment and training provision will be appropriate where:

- 1 The building is of sound construction and does not require significant alteration or extension to accommodate the proposed use.
- 2 There is sufficient land and storage space attached for the functional needs of the proposed use, including parking.
- 3 The building does not have an adverse impact on the character of the area.
- 4 There are existing adequate access arrangements for the proposed use and level of activity.

2.2 Development Policy 19 is relevant;

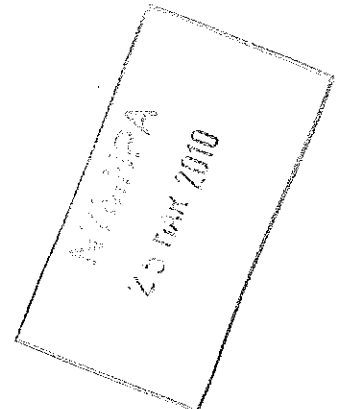
Proposals for development within the domestic curtilage of dwellings will need to take full account of the special qualities of the Park's nine landscape character areas and architectural character of settlements and will only be supported where:

- 1 The scale, height, form, position and design of new development does not detract from the character and form of the original dwelling or its

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setting in the landscape.

2 The development does not adversely affect the residential amenity of neighbouring occupiers or result in inadequate levels of amenity for the existing dwelling.

3 The development does not harm the amenities of adjoining occupiers by reason of noise and disturbance, smell or other adverse impact.

4 In the case of annexe accommodation, the development is ancillary to the main dwelling in terms of its scale and specification, in the case of new build it is physically attached to the main dwelling and in all cases the annexe will remain under the control of the occupier of the main dwelling.

2.3 Part C of DC10 is the most relevant. This accepts conversions provided, inter alia, the building is of sound construction and does not require building;

The building is of sound construction and does not require significant alteration or extension to accommodate the proposed use.

2.4 This does not sit comfortably with the advice in PPS4 (which derives from PPS7);

the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion

2.5 In this case, the conversion scheme generally takes the building back to its original form and then adapts it – windows in existing openings. It is not a case of a small building which is having a large extension. It is a small building which is not being extended at all and is simply being altered.

2.6 The policy also requires that;

The building does not have an adverse impact on the character of the area.

The existing building would have a harmful effect on the appearance of the area if it could be seen. The proposed building will enhance the area.

4.7 A structural report is attached to the application.

4.5 Effect on road safety

4.6 This is a former farmyard related to an existing dwelling. The applicants will work from home. Any visitors will be able to park in the former farm yard.

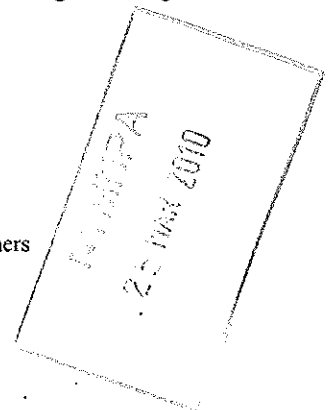
4.7 The proposal will not result in any significant increase in traffic or the loss of parking or turning facilities.

4.8 The proposal will not have any adverse effect on road safety.

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4.9 Accessibility

4.10 Insofar as the applicants are concerned, this is a highly accessible location. It is within easy walking distance of what will be their home.

4.11 The detailed design will have to accord with Part M of the Building Regulations.

5.0 Wildlife

5.1 A survey is attached. This concludes;

5.1 No signs of roosting bats were discovered during the survey. However, there is a risk of bats being present in the buildings at other times of year, especially during the summer months. **Bat roosts are protected throughout the year, whether bats are present or not.** It is recommended a further dusk and dawn survey be carried out on the barn between May – late August, this is to ensure bats are not roosting in the building prior to its conversion.

5.2 If a bat roost or roosts are identified on site, a Natural England licence will be required to proceed with any part of the development likely to disturb, damage or destroy the roost. If no bat roosts are identified the work should proceed with adherence to the Method Statement outlined in section 4.2. This maybe modified subject to the results of the further survey work.

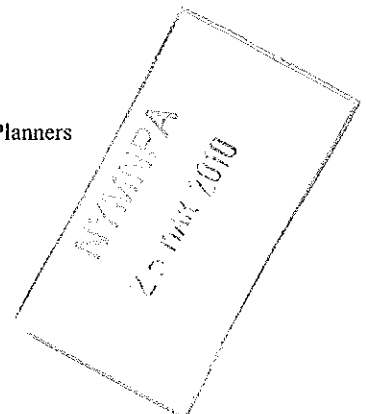
5.3 All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000) and are further protected under Regulation 39(1) of the Conservation (Natural Habitats &c.) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted 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 Natural England's contact details.

5.4 If conversion of the barn should be delayed until winter, the **initial start of the work** should avoid late October – early April. This will ensure that bats are

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not disturbed at a vulnerable time of year (see 7.1.7). A hibernation survey must be conducted if the planned start date of the development falls into this period.

5.5 Habitat enhancement for bats should be implemented as outlined in section 4.2.8, in order to improve foraging opportunities to bats in the local area.

5.6 Species list within this report may be forwarded to the local biodiversity records centre to be included on their national database. No personal information will be sent. Please contact Wold Ecology if you do not wish the species accounts and six figure grid reference to be shared.

5.7 Whilst the survey provided detailed information on bats, no bird's nests were observed in the building. All nests should remain undisturbed and intact until after the breeding bird season – 1st March to 31st August. There was no evidence of barn owls *Tyto alba* roosting in the building.

6.0 Conclusion

6.1 This is a proposal to alter a small building in a group of buildings to create a studio so that the applicants can work from home.

6.2 Ultimately as time and finance permit they hope to renovate those buildings of some character and demolish the remainder.

6.3 The Planning Authority is respectfully requested to grant permission.

Christopher C Kendall
Dip TP MRTPI
Hickling Gray Associates.

25 March 2010

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David K. Hickling BSc Dip TP MRTPI
Patrick J. Gray Dip TP MRTPI
Christopher C Kendall Dip TP MRTPI

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