

**Hickling Gray Associates**

11 Saturday Market, Beverley, East Yorkshire HU17 8BB

In association with

**Andrew Doughty  
Architectural Design**

**Application by Mr and Mrs N Hartley**

**For Planning Permission for the carrying out of alterations and  
erection of extensions and use of land and buildings as part of the  
residential curtilage**

**At**

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

**Supporting Documentation and Checklist**

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**NOTE**

The location plan shows the entirety of the property edged in red. This includes the access, which is not owned by the applicants.

The application includes a request for planning permission to use the remainder of the site, excluding the house and front garden, as part of the residential curtilage. This land is shown edged in red but cross hatched green.

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The application will be discussed under the following headings;

- 1.0 Descriptive  
Description of the site and surrounding area  
Description of the proposed development
- 2.0 Development Plan  
Identification of relevant development plan policies
- 3.0 National Planning Policies  
Identification of relevant national planning policies
- 4.0 Discussion  
Discussion of the proposed development in the context of;  
Development Plan  
National planning policies  
Impact on the surrounding area

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Effect on road safety  
 Accessibility  
 Trees and hedges  
 Waste  
 Wildlife

5.0 Conclusion

1.0 Descriptive

- 1.1 Moorgate Lees Farm is an isolated farmstead in open countryside outside the village of Hawsker.
- 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 and using them for purposes incidental to the enjoyment of their house.

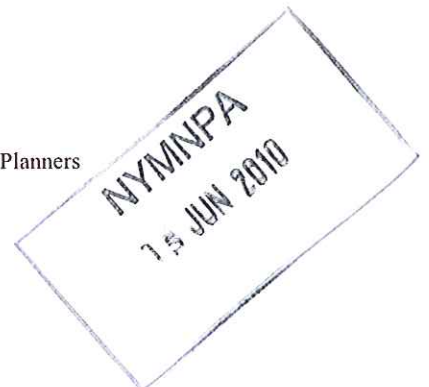
2.0 Development Plan

- 2.1 The Development Plan consists of The Regional Spatial Strategy, North Yorkshire Structure Plan and the North Yorkshire Moors Core Strategy.
- 2.2 Although RSS is not normally associated with house extension applications, it is relevant. Policy YH1 includes;
  - A The region's housing stock should be improved and increased to provide appropriate accommodation for all households wanting homes, taking account of strong economic growth in the Leeds City Region, regeneration and increasing economic growth in South Yorkshire and the Humber Estuary sub area, and the need to place a greater emphasis on meeting local needs in rural areas.
- 2.3 The improvement of the existing housing stock is a key part of the regional strategy. This dwelling is part of the housing stock and as the proposal seeks to improve the quality of the living accommodation, the application accords with RSS.
- 2.4 The Core Strategy was adopted in 2008.

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2.5 Development Policy 19 states;

**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 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.

Extensions are often a convenient way of providing additional accommodation and new structures such as garages and sheds are often required for additional domestic storage. However, they should not adversely affect the character of the host building or wider landscape or the amenities of neighbouring residents. Proposals which incrementally extend small dwellings beyond their original size can have a detrimental impact on the character of the area and on the mix of dwelling types available in the Park. In designing an extension, applicants should consider the design, scale and materials of neighbouring buildings. Applicants are also encouraged to incorporate sustainable construction techniques where feasible. Where the building is Listed or located within a Conservation Area regard should also be had to Development Policies 4 and 5.

2.6 Development Policy 20 deals with extensions of residential curtilages;

**Proposals for the extension of existing domestic curtilages will only be permitted where the land does not form an important amenity or open space and where the change of use to domestic curtilage will not have an adverse impact on the character of the landscape.**

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In areas of open countryside the change of use of agricultural land for domestic use can result in the erosion of the quality of the landscape particularly when domestic paraphernalia, landscaping and fencing is added. The extension of domestic curtilages will therefore only be permitted where the site can be integrated without detriment to the wider landscape and the natural environment. Amongst other environmental considerations, development proposals that could have an adverse effect on the integrity of a European site would not be in accordance with the Development Plan.

2.7 Supplementary guidance was produced in connection with the previous Local Plan. This has been brought forward into the Core Strategy. It includes;

The advice contained in the Design Guide is not intended to be exhaustive nor prescriptive. Similarly, it is not intended to stifle innovative design that is both sympathetic and sensitive to its surroundings. Design in the built environment is an evolving process. Good design bridges the gap between traditional and contemporary design in a way which respects and interprets the historical character.

2.8 The purpose of the guide is;

The purpose of the Design Guide is:

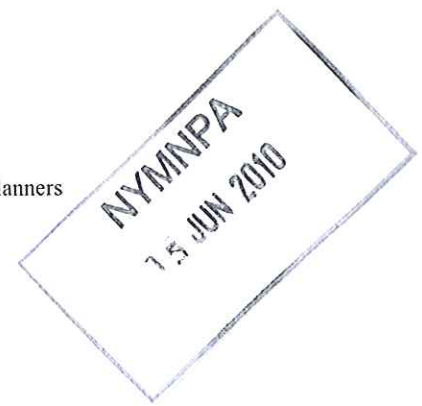
- To ensure fulfilment of the statutory purposes of the National Park.
- To encourage high quality design that conserves and enhances the character and special qualities of the area, and respects the local distinctiveness and the built and natural heritage of the National Park.
- To protect the residential amenity of neighbouring properties.
- To encourage sustainable building practices which minimise use of resources and waste production.
- To promote design that reduces both the causes and effects of climate change.
- To ensure that conditions for wildlife and natural habitats are maintained or enhanced.

The key to a successful extension lies in the respect shown to the original building so that it remains the dominant form. Generally this will mean ensuring that the extension is subservient to the original building in terms of its volume, scale, height, width and depth. An extension should reflect local distinctiveness in terms of scale, proportions, height, materials, position and detailing. This is particularly important if the parent

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building is of traditional design and construction – but does not preclude more recently constructed buildings.

Irrespective of size, all buildings have a threshold point beyond which its further extension is not possible without jeopardising and possibly destroying the integrity of its original character.

The position of an extension on the property is also important and respect should be given to existing building lines, the pattern of buildings and the spacing between them. Rear extensions are generally preferable to side extensions whilst the majority of properties cannot easily accommodate extensions to their main front elevation (with the occasional exception of small porches), without significantly affecting their appearance.

Extensions should complement the style, details and materials of the existing house, whether they are traditional or contemporary in design and should not detract from the original building. The roof style, pitch and detailing (overhangs, gable treatments and chimneys) should follow those of the existing house; flat roofed extensions are normally unacceptable and hipped roof extensions should only be used on properties with an existing hipped roof. Likewise, materials should match the existing in type, colour and detail. Windows and doors should be well proportioned and well related within the elevation, reflecting the proportions and style of the existing dwelling.

3.0 National Planning Policies

3.1 PPS1 encourages good quality design.

4.0 Discussion

4.1 Development Plan

4.1.1 One of the key policies of RSS is the improvement of the existing housing stock. Whilst this may be perceived as relating to large schemes in urban areas, there is no reason why the improvement of a single dwelling should not go a small way towards meeting the aims of RSS.

4.1.2 Core Strategy and the Guide accept, in principle, the extension of dwellings, whether in settlements or the open countryside. However, the quality of the design is one of the most important considerations.

4.2 National planning policies

4.2.1 Similarly, PPS1 encourages good quality design.

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4.3 Impact on the surrounding area

4.3.1 This is the most important consideration in this case. There are no immediate neighbours who will be overlooked or overshadowed. The application will be determined on the basis of the design.

4.3.2 The relevant parts of Policy 19 are;

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 setting in the landscape.

4.3.3 Policy 19 is a positive policy. Proposals for house extensions will be acceptable provided that, inter alia, they do not detract from the existing dwelling.

4.3.6 Insofar as this application is concerned, the relevant aims of the Design Guide are;

To ensure fulfilment of the statutory purposes of the National Park .

• To encourage high quality design that conserves and enhances the character and special qualities of the area, and respects the local distinctiveness and the built and natural heritage of the National Park.

4.3.7 The DEFRA website discusses the purposes of National Parks;

The two purposes of the National Park Authorities are to:

conserve and enhance the natural beauty, wildlife and cultural heritage; and promote opportunities for the understanding and enjoyment of the special qualities of National Parks by the public.

In addition, whilst in pursuit of their twin purposes, they have a statutory duty under the 1995 Act to seek to foster the socio-economic well-being of local communities without incurring significant expenditure in doing so.

If there is a major conflict which between those two purposes which cannot be resolved, conservation takes priority. This is known as the Sandford Principle.

Planning policies and decisions must give great weight to conservation of the natural beauty of the countryside, and major development should not take place save in exceptional circumstances.

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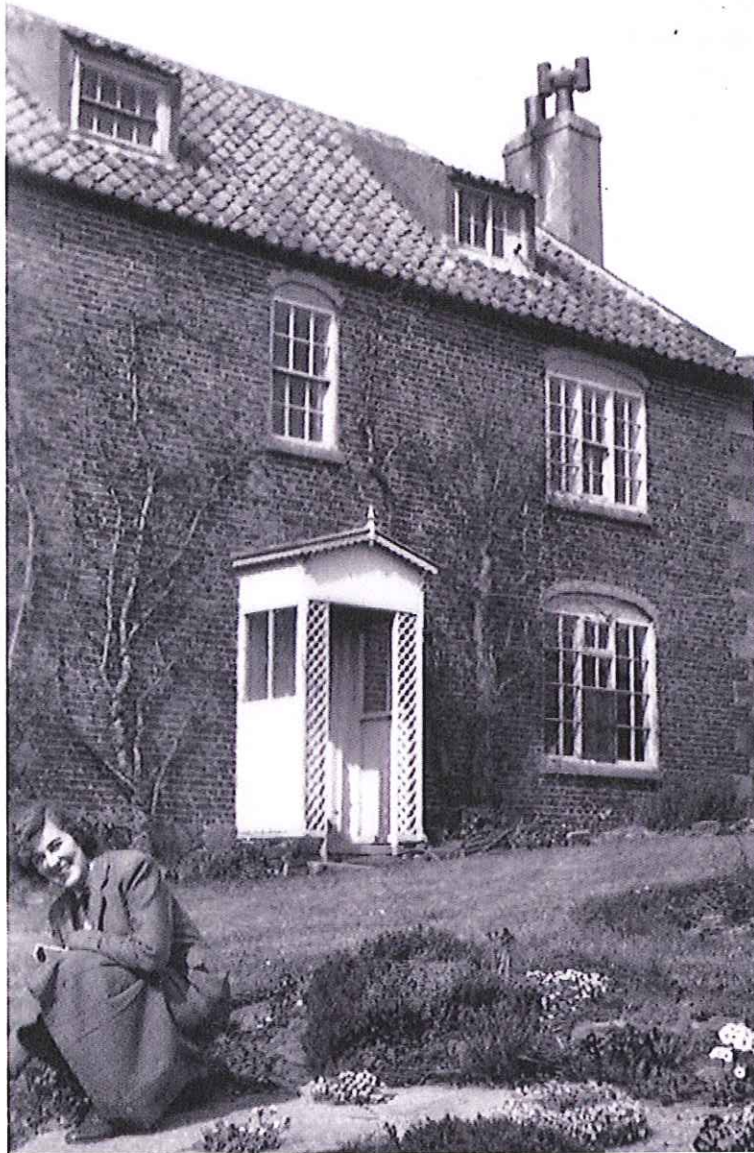
- 4.3.8 In this case, the key consideration is "conserve and enhance the natural beauty, wildlife and cultural heritage". The building is not listed nor within a conservation area, but it is within the national park.
- 4.3.9 The aims of the guide continue;  
To encourage high quality design that conserves and enhances the character and special qualities of the area, and respects the local distinctiveness and the built and natural heritage of the National Park.
- 4.3.10 The applicants have recently bought this house. Although it appears to be large, it is not. They have applied for permission for alterations. That application has been refused on design grounds. Negotiations are continuing to achieve a solution.
- 4.3.11 In the meantime, this application seeks to enable the applicants to start the restoration of this house by the construction of 4 dormer windows in the front elevation and two in the rear. Originally officers were opposed to this but have subsequently accepted that there is photographic evidence that the property has had dormer windows. The photograph dates from the early 1950's.

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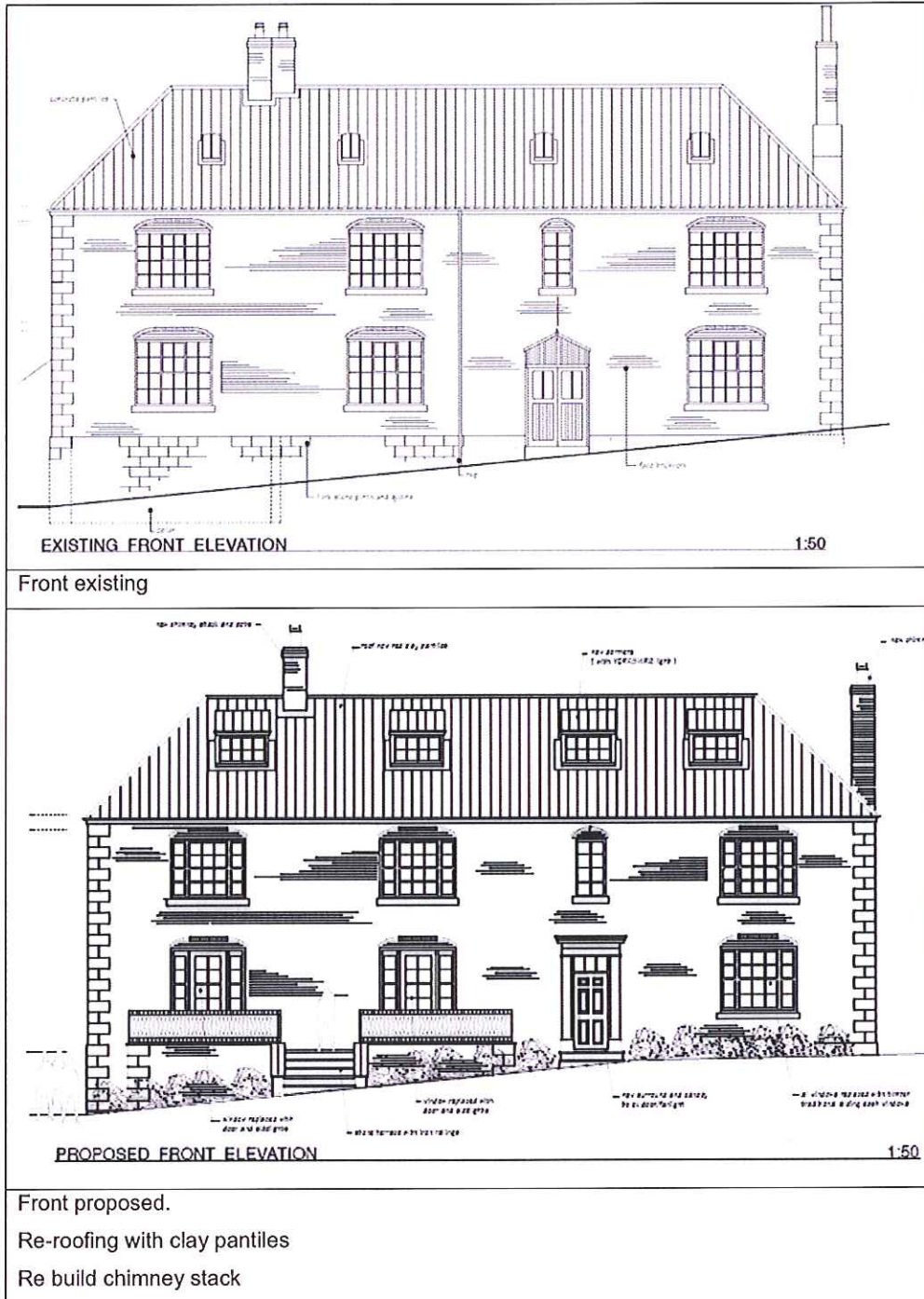
4.3.13 The application proposes;

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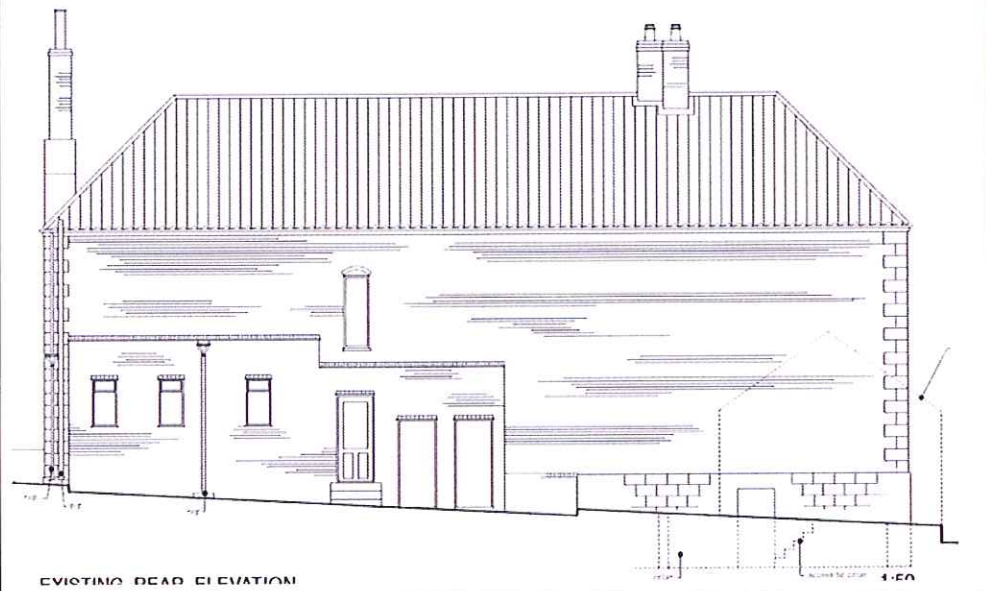
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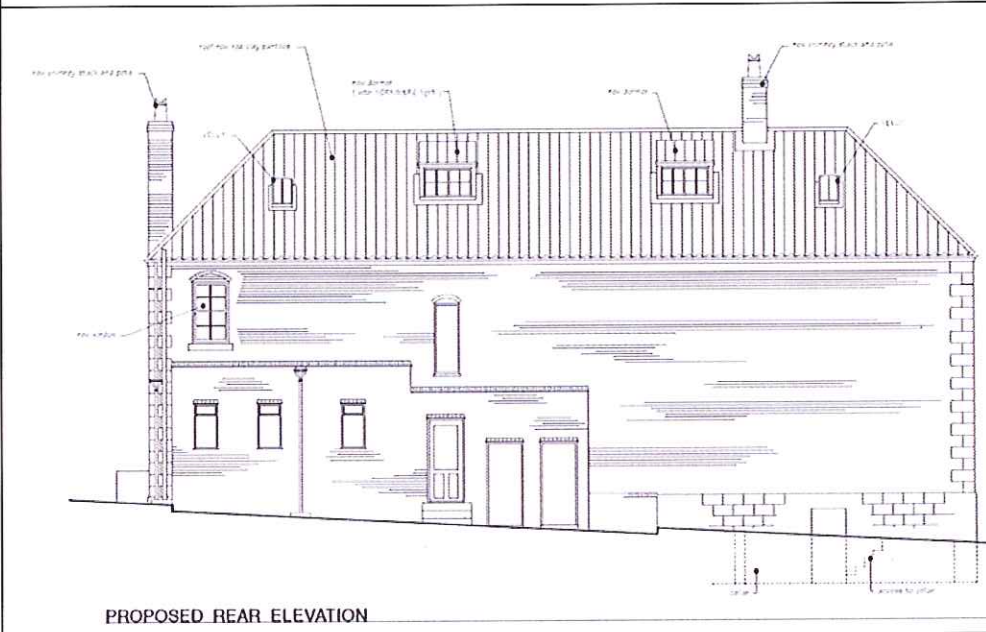




New windows and replacement of two windows with French Windows  
New front door and surround  
Raised patio.



Rear existing



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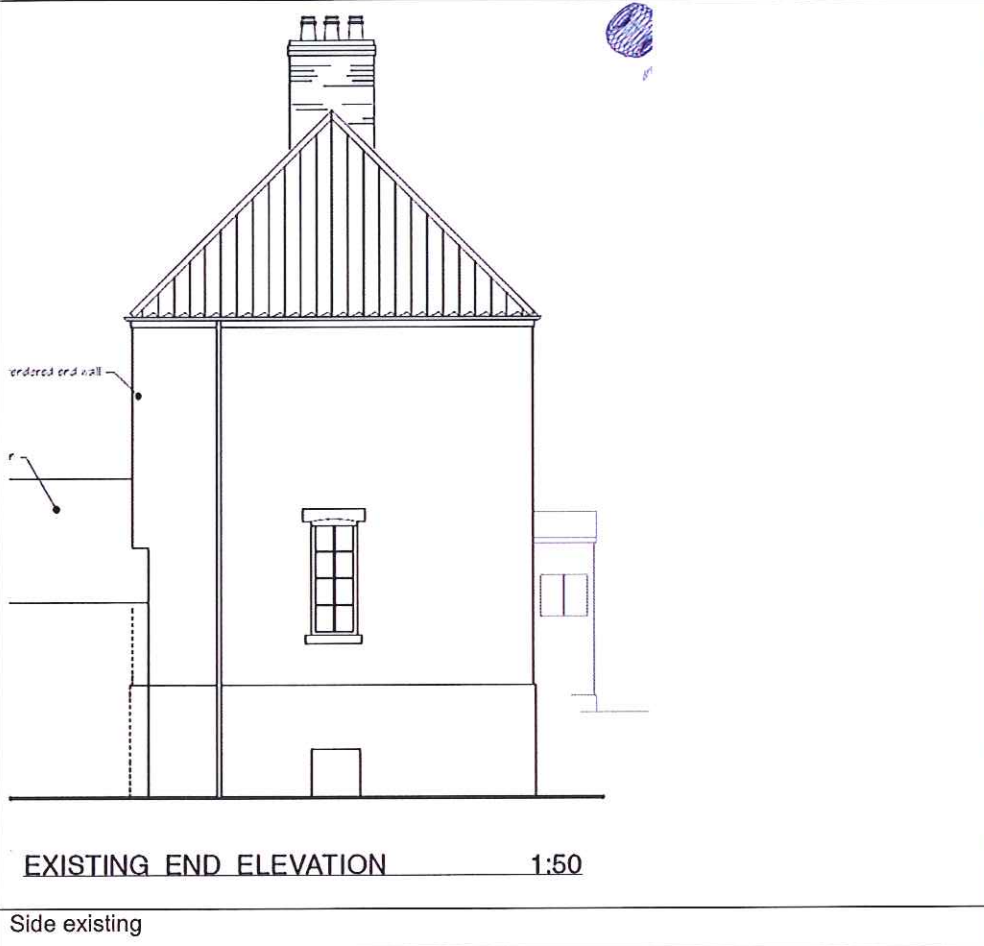


Rear proposed.

Two new dormer windows

Two new roof lights.

New window at first floor

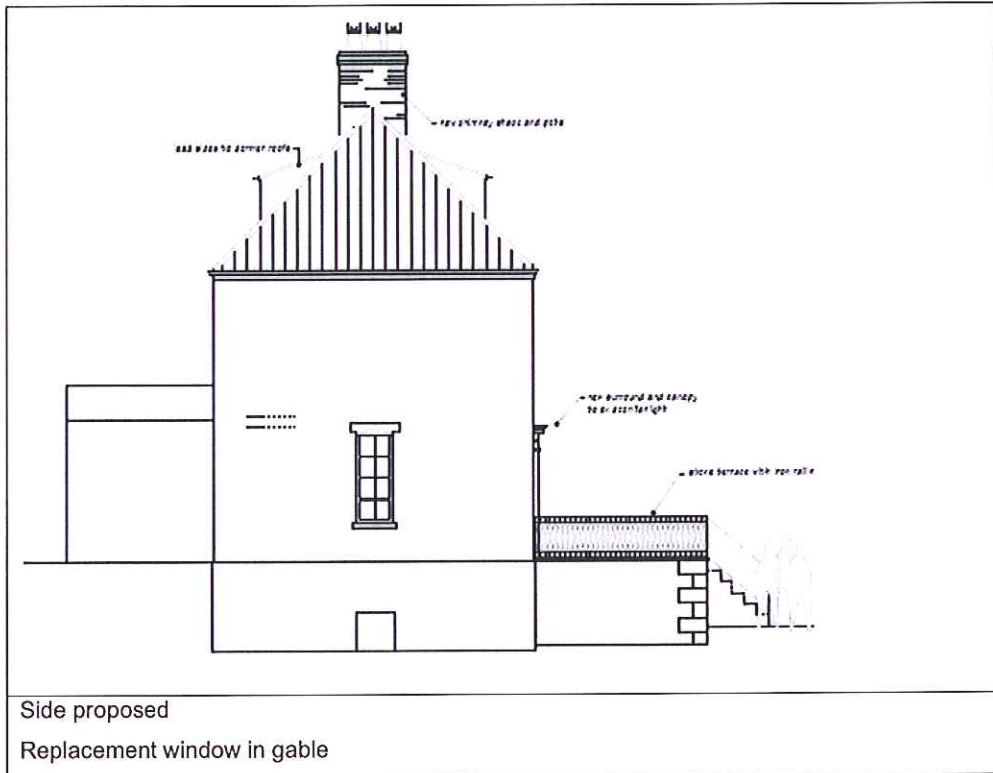


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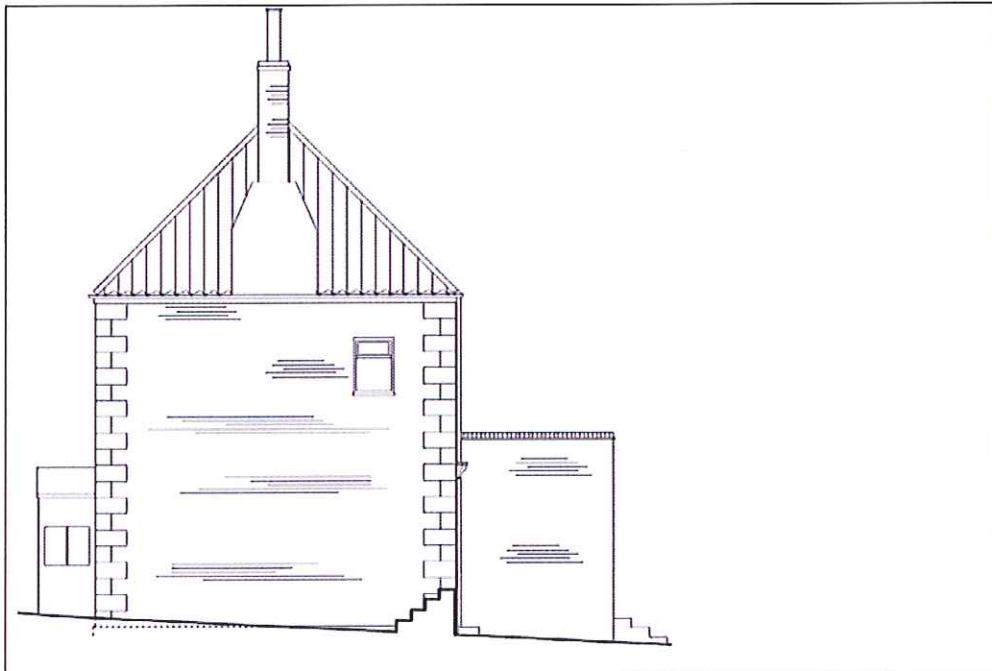


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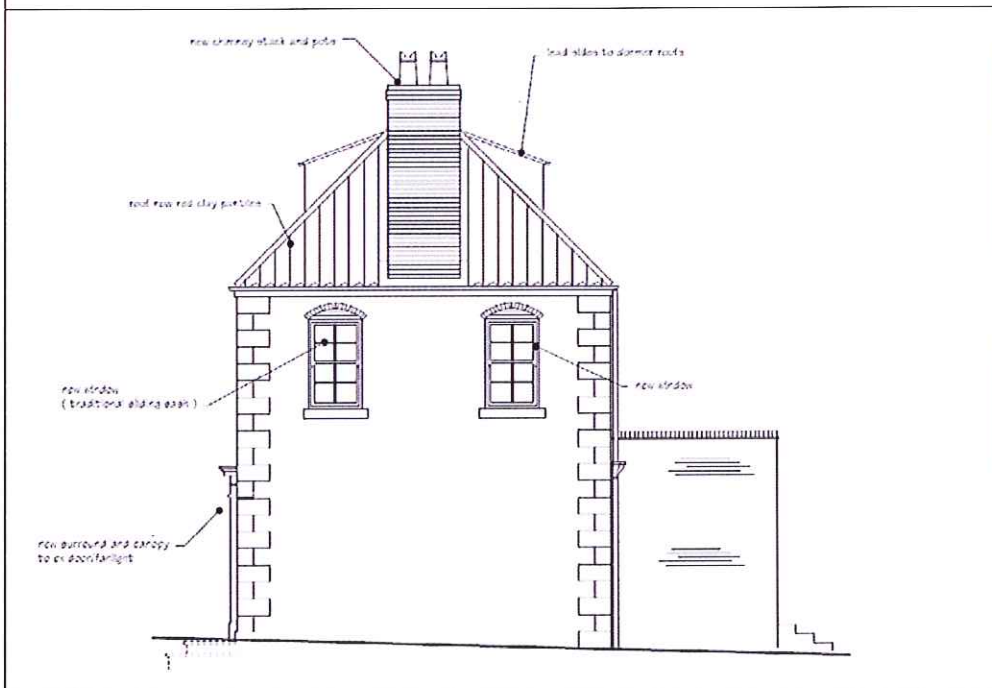
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Side existing



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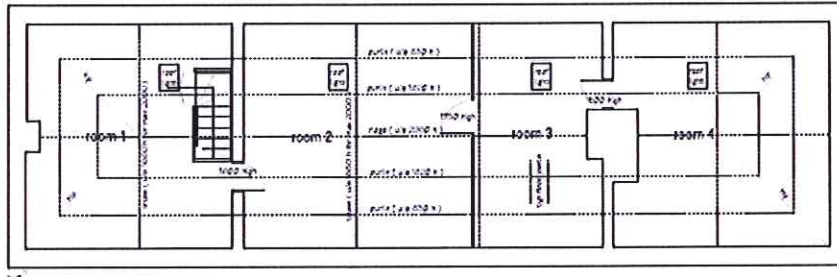


Side proposed.

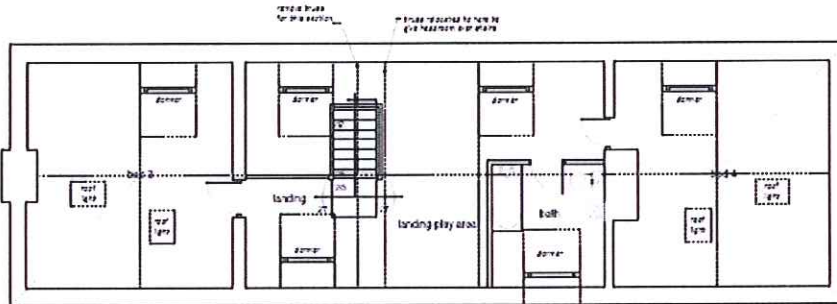
One new window.

One replacement window

Rebuilt chimney stack

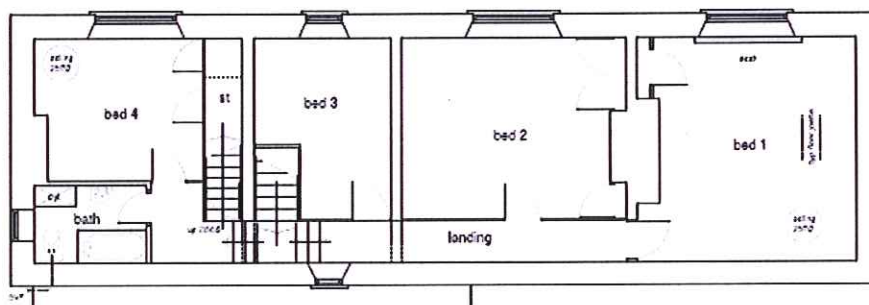


Attic plan existing



Attic plan proposed

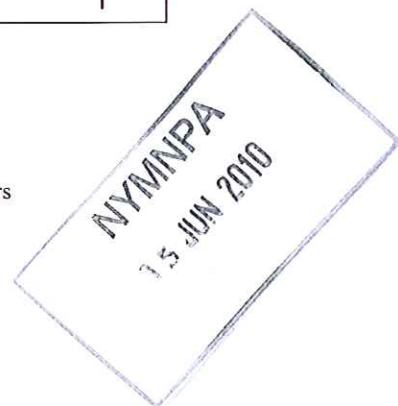
This makes use of the second floor.

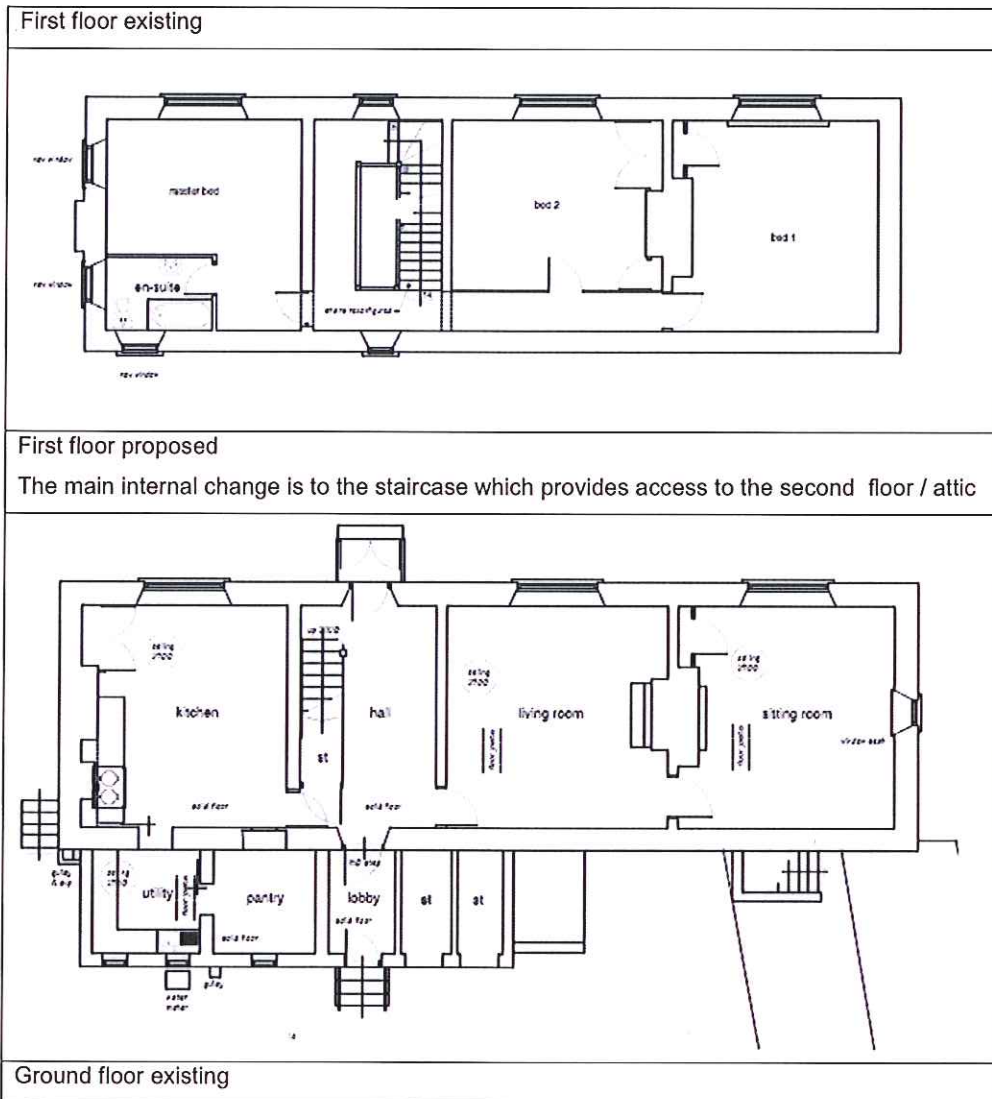


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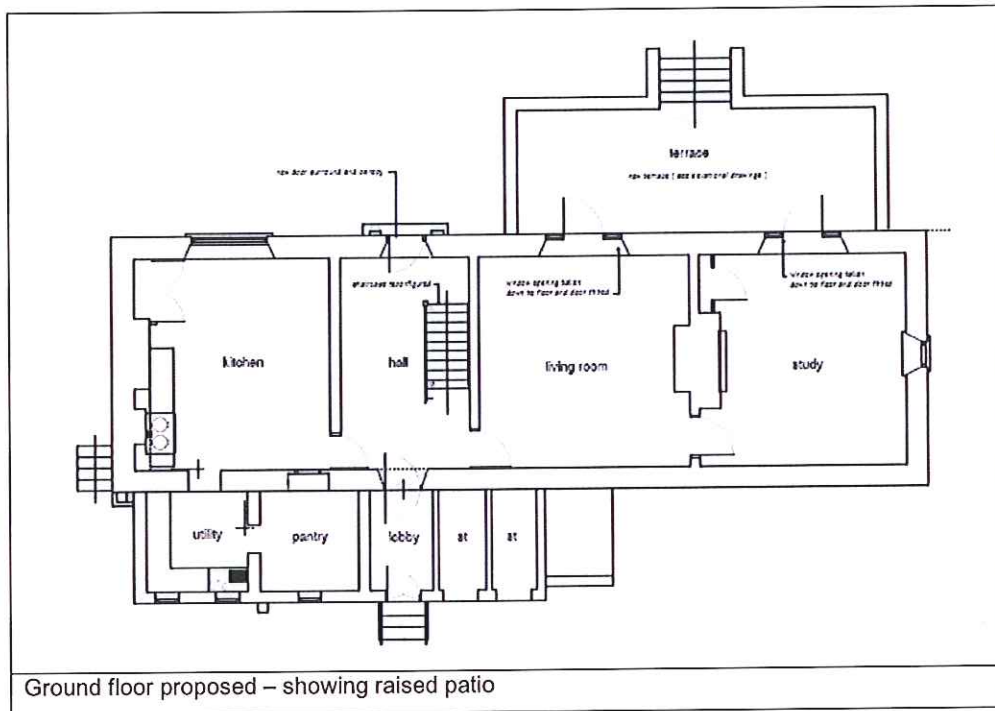
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- 4.3.14 The proposed alterations have been designed to be in character with the existing dwelling.
- 4.3.15 The proposed patio is a significant feature, but will not be readily visible from outside the site, it deals with the problem of the slope across the frontage, and provides a very attractive amenity for the occupiers.



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- 4.3.16 The applicants purchased not only a farmhouse but a range of farm buildings and a small amount of land. The buildings therefore have no potential for agricultural use. Permission has recently been granted for the alteration of part of the range of outbuildings to provide an office / studio.
- 4.3.17 The applicants' priority is the restoration of the farmhouse to provide a family house. Whilst that work is taking place they are unlikely to make any significant decisions about the former farm buildings. However, this application seeks the comfort of a permission to use the farm buildings and associated land as part of the residential curtilage.
- 4.3.18 The Council may wish to consider whether they wish to impose conditions removing permitted development rights from the land and buildings which are within that part of the site shown edged red AND hatched green on the submitted plan.

4.4 Effect on road safety

- 4.4.1 This is an existing dwelling. The proposal will not result in increased traffic or the loss of parking or turning facilities.

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4.4.2 The inclusion of the former farm yard into the residential curtilage will actually provide a lawful parking place for vehicles associated with the dwelling.

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

4.5 Accessibility

4.5.1 If this was a proposal for a new dwelling, it would be regarded as performing poorly in terms of accessibility. However, it is a proposal to alter and extend an existing dwelling. Accessibility is not, therefore, an issue.

4.6 Trees and hedges

4.6.1 There are trees and hedges on the application site. However, the physical works of creating the dormers and patio will not have any effect on them.



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4.7 Waste

4.7.1 It appears that in the past dustbins etc have been stored behind the house. Strictly speaking, this is not within the residential curtilage. Refuse bins will continue to be stored behind the house but, assuming the change of use application is granted, that land will be lawfully part of the curtilage.

4.8 Wildlife

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- 4.8.1 The applicants submitted a bat survey as part of the application for the office / studio. That development involved operational development. The current application does not involve operational development insofar as the outbuildings are concerned.
- 4.8.2 The use of existing buildings for domestic storage etc will be no more harmful to wildlife habitats than the previous agricultural use.
- 4.8.3 The authority could impose a condition requiring that no building is altered prior to the submission of a bat survey.
- 5.0 Conclusion
- 5.1 RSS seeks the improvement of the existing housing stock. The existing dwelling is part of the existing housing stock and it is very clearly in need of improvement.
- 5.2 The applicants wish to create a family dwelling for their own occupation.
- 5.3 The applicants do not wish to deceive the Council. They will be seeking to add another extension following further discussions with the Council. This proposal, if approved, will enable them to start the restoration.
- 5.4 The Planning Authority is respectfully requested to grant permission.

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14 June 2010



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