

North York Moors National Park Authority

Scarborough Borough Council Parish: Harwood Dale	App Num. NYM/2010/0873/FL
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Proposal: Change of use and conversion of redundant barns to form office (Use Class B1) and 1 no. local occupancy letting dwelling

Location: Kirkless Farm, Harwood Dale Road

Applicant: Mrs Janet Gooch, 3/5 Victoria Square, Whitby, YO21 1EA

Agent: Ian Pick Associates Ltd, Llewellyn House, Middle Street, Kilham, Drifffield, East Yorkshire, YO25 4RL

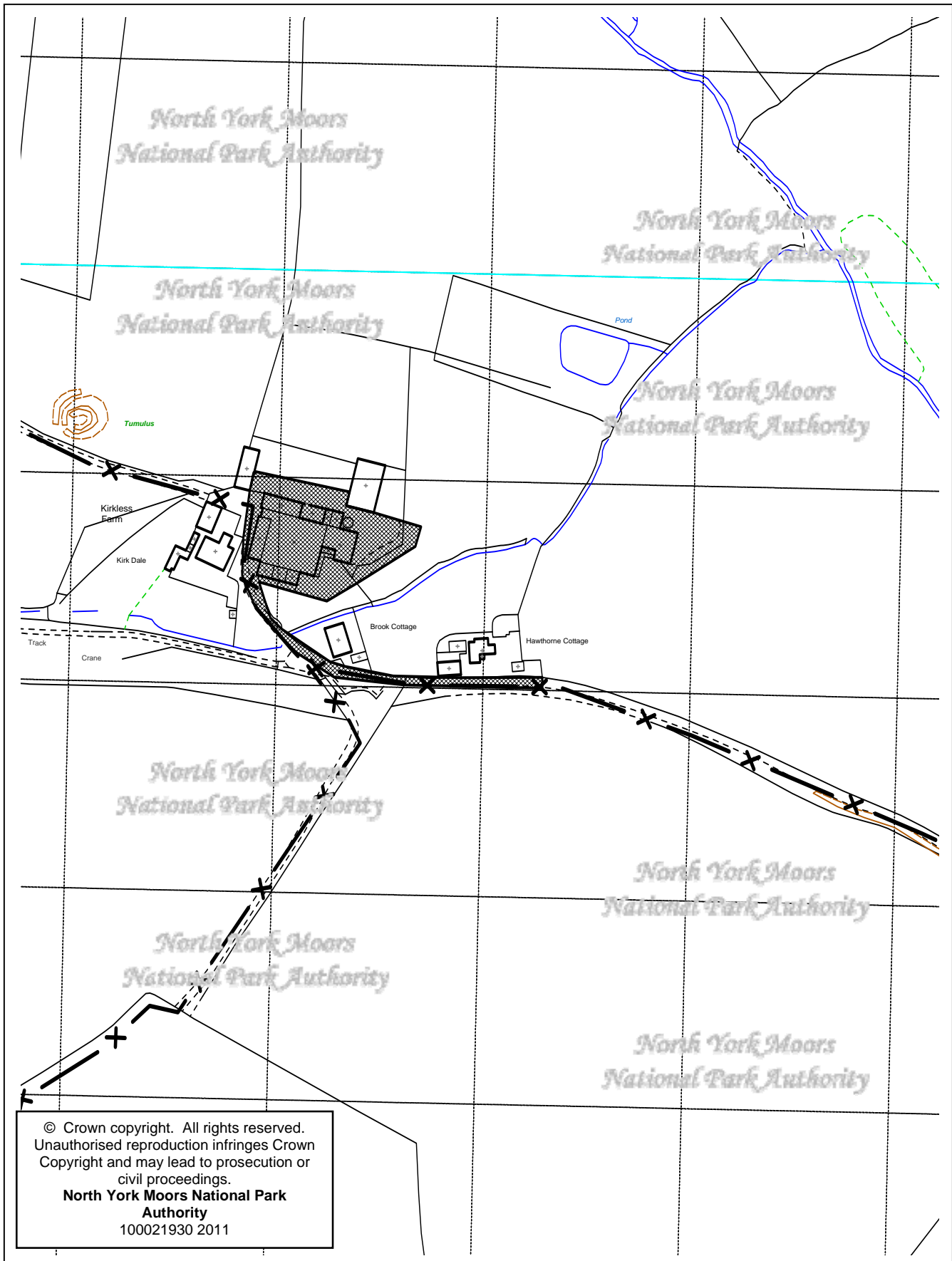
Date for Decision: 30 December 2010

Grid Ref: NZ 498606 493863

Director of Planning's Recommendation

Approval subject to the following conditions:

1. TL03 Standard three year commencement date
2. AP03 Original plans amended by plans received on and letter received on 9 and 19 November 2010
3. PD01 Withdrawal of all PD Parts 1 & 2
4. RU01 Use restricted to that specifically proposed
5. RU13 Occupancy in accordance with Core Policy J
6. RU08 Manager's accommodation
7. GA07 External lighting - submit details
8. DE05 Conversions - extent of rebuilding/repair work
9. MT04 Stonework and roofing tiles to match
10. MT00 The roof of the glazed link hereby permitted shall be clad in laminated or toughened glass and not with polycarbonate sheeting and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
11. MT45 Window frames in reveals to match existing
12. MT52 Windows – lintels and cills in stone to match existing
13. MT54 Conservation rooflights only
14. MT60 Windows and doors - timber
15. MT61 Windows and doors - submit details of colour/finish
16. MT70 Guttering fixed by gutter spikes
17. MT72 Black coloured rainwater goods
18. MT00 No work shall local commence on the installation of any solar panels in the development hereby approved until full details of the proposed rooflights have been submitted to and approved in writing by the Local Planning Authority. The solar panels shall be installed 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.
19. RU00 No work shall commence on the development hereby approved until full details of how at least 10% of predicted CO2 emissions will be displaced by the generation of energy on-site from renewable sources.
20. DR12 Foul drainage to private treatment plant
21. LS02 Landscaping scheme to be implemented
22. MIS5 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 10 of the submitted Bat Survey dated 29 September 2010.




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**North York Moors National Park
 Authority**
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Scale: 1:2501 



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Reasons for Conditions

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 Development Plan Policy 3.
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 Core Policy A and NYM Development Policy 3.
4. In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (General Permitted Development Order) 2005 and to comply with the provisions of NYM Core Policy A and safeguard the amenities of adjacent occupiers.
5. In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local need to live in the village.
6. The site is in a location where new residential development would be contrary to NYM Core Policy J but the accommodation has been permitted in this instance to meet the specific needs of the business operating from the site.
7. In order to comply with the provisions of NYM Core Policy A which seeks to protect the residential amenities of adjoining occupiers.
8. 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.
- 9 to 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 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.
- 11 to 18. 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.
19. In order to ensure that the requirements of Core Policy D of the NYM Local Development Framework are met.
20. 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.
21. 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.
22. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C.

Consultations

Parish - No objection in principle but the level of activity does give rise to concerns regarding over intensification and the adequacy of the access road. Passing places are minimal and access for emergency services is not good. The additional traffic will also have a significant impact on the residents of Brook and Hawthorn Cottages and Kirkless Farm. Therefore concerned that the scheme will harm the character, appearance and natural environment of the area.

The council request that conditions be placed on any consent so as to ensure any dwelling can only be occupied on a letting basis by people meeting local needs criteria and cannot be sold off separately.

Highways - No objections.

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Yorkshire Water - In terms of water supply it is the developer's responsibility to ensure that an adequate supply of water can be made available and in terms of waste water the proposal is not served by the public sewerage system so should be referred to the Environment Agency and Environmental Health for comments on private treatment facilities.

Environmental Health Officer -

Site Notice Expiry Date - 6 December 2010.

Background

Kirkless Farm comprises a range of three traditional stone and pantile farm buildings, set in a courtyard layout, located in an isolated area within the Parish of Harwood Dale. The site is accessed by a single track lane (with passing places) which is also a public bridleway. There are three residential properties adjoining the farm buildings all of which are rented but in the same ownership as the application site.

This application seeks full planning permission to convert this range of buildings into two office buildings and a local occupancy residential letting unit. The buildings would be linked by a short glazed link (which would provide a foyer area) and would provide five open plan office units and a single private office (set over two floors) a conference room and ancillary kitchen and toilet facilities. The residential unit would be single storey with two bedrooms, combined kitchen/living area and bathroom and kitchen.

Good use is made of all the existing window and door openings and 18 parking spaces would be provided within the courtyard area for the offices, with vehicular access for the cottage would also be through the courtyard area.

In terms of the use of renewable energy it is proposed to incorporate technologies such as ground or air source heat pumps for space heating and solar voltaic cells on the south facing roof to generate electricity.

Main Issues

Policy Context

Core Policy H of the Local Development Framework seeks to strengthen and support the rural economy by providing local communities with a range of opportunities for entrepreneurship, education and training in various ways, including allowing new employment development in Whitby Business Park, Service Villages and Local Service Villages.

Core Policy J of the Local Development Framework 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.

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Policy Context (continued)

Core Policy D of the NYM Local Development Framework seeks to address the causes of climate change and contribute to reducing greenhouse gas emissions in a number of ways, including generating energy from renewable sources where they are of a scale and design appropriate to the locality, and which contribute towards meeting domestic, community or business energy needs within the National Park. This includes requiring commercial development of over 200sqm to generate energy on-site from renewable sources to displace at least 10% of predicted CO2 emissions.

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

Development Policy 10 of the NYM Local Development Framework seeks to permit the re-use of an existing building for employment and training purposes where the building is of sound construction, there is sufficient land, storage space and parking; the building does not have an adverse impact on the character of the area and there are existing adequate access arrangements.

Suitability of Buildings for Conversion to Business and residential use

The buildings to be converted are in a structurally sound condition and the Structural Survey submitted with the application illustrates that no major re-building would be required. Minimal new openings are proposed and the existing character of the buildings would be retained. Only a small element of new build is proposed which is a light weight glazed link between the two office buildings.

The proposed conversion to economic use is considered to be in accordance with Development Policies 8 and 10 of the NYM Local Development Framework and the proposed creation of a local occupancy letting unit through the conversion of one of barns would be in accordance with Core Policy J.

Rural Economy

The proposed development would provide a valuable opportunity for rural office space without the need for any new buildings, which will enable local enterprises to operate within the locality and avoid the need to travel to the larger towns on the outskirts of the National Park. The proposal is therefore considered to be in accordance with Core Policy H of the NYM Local Development Framework.

Members will be aware that although the Authority's planning policies favour commercial re-use for barn conversions, the majority of such schemes envisage holiday cottage commercial use rather than office. As such this scheme is particularly welcomed to provide some rural starter offices.

Suitability of Existing Access

The existing access is single track and is also a bridleway. However, in terms of vehicular traffic the lane only serves the properties in the same ownership as Kirkless Farm, i.e. three existing dwellings and the proposed conversions and the farm land. Permission was granted a couple of years ago for additional passing places to be created to improve the ease of use by horses, farm vehicles and domestic traffic.

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Suitability of Existing Access (continued)

Neither the Highway Authority or Rights of Way Officer have raised objections to the proposal in terms of activity levels or highway safety and consequently it is not considered that the proposal would have a detrimental impact on the amenities of the local community in terms of highway safety. Note B1 office use category does not generally include any significant activity associated with the general public.

Bats and Birds

Whilst there is evidence of birds and bats in the vicinity the National Park Authority's Ecologist is satisfied that providing correct mitigation measures are followed, the development will not cause harm to the bird and bat population.

Renewable Energy

The applicant has advised that renewable energy provision will be incorporated in the development although some further details of how a 10% offset will be achieved are still awaited. However, it is considered that this can be achieved and the development would accord with Core Policy D of the NYM Local Development Framework.

Recommendation

In view of the above it is not considered that the proposal would have an adverse impact on the character of the buildings, the character or amenities of the area or highway safety and, in view of the above, approval is recommended.

Reason for Approval

The proposed development would retain the traditional character of the buildings whilst providing opportunities for local enterprise and the provision of local needs housing, and would not have an adverse impact on the amenities of the area or highway safety. The proposal is therefore considered to be in accordance with Core Policies D, H and J and Development Policies 8 and 10 of the NYM Local Development Framework.