

North York Moors National Park Authority

Scarborough Borough Council Parish: Suffield-Cum-Everley	App Num. NYM/2014/0065/FL
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Proposal: Conversion of barns to form 1 no. local occupancy dwelling and associated garden

Location: Land North West of Everley Hotel, Mowthorp Road, Hackness

Applicant: Mr Bill Tinsley, 39 Farside Road, West Ayton, Scarborough, North Yorkshire, YO13 9LE

Agent: Bramhall Blenkarn Ltd, fao: Mr Mark Bramhall, The Maltings, Malton, YO17 7DP

Date for Decision: 17 April 2014

Grid Ref: SE 497174 488987

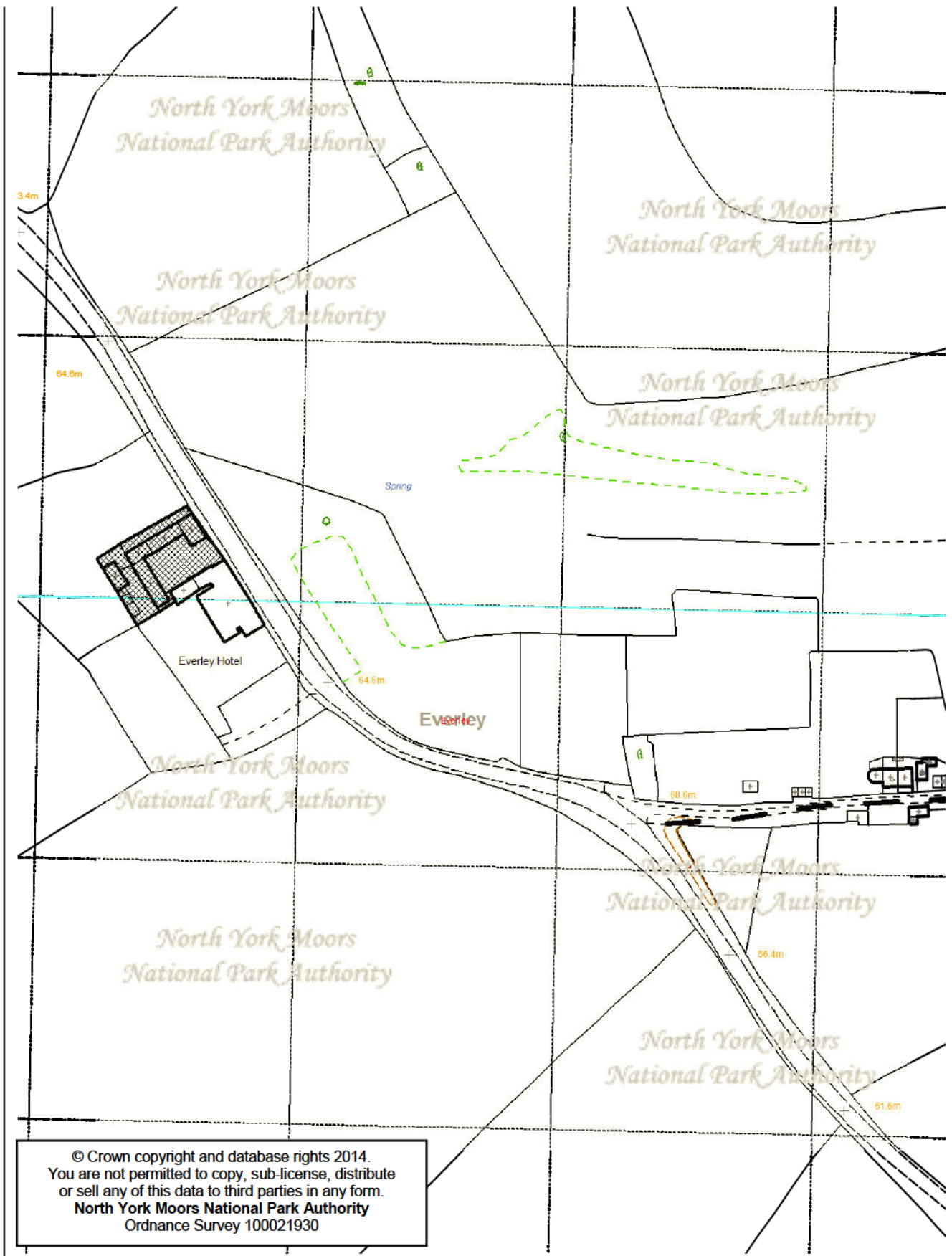
Director of Planning's Recommendation

Approval subject to the following conditions:

1. TIME01 Standard Three Year Commencement Date
2. PLAN01 Strict Accordance With the Documentation Submitted or Minor Variations - Document No.s Specified
3. WPDR01 Withdrawal of all PD Parts 1 & 2 and 40 Classes A to I
4. RSUO13 Occupancy in Accordance with NYM Core Policy J
5. CDLB05A Conversions - Extent of Rebuilding/Repair Work
6. MATS03 Stonework to Match
7. MATS15 Natural Clay Pantiles to be Used
8. MATS22 Pointing - New Development - Standard Mix
9. MATS60 Windows and Doors - Timber
10. MATS30 Doors - Details of Construction to be Submitted
11. MATS40 Detailed Plans of Window Frames Required.
12. MATS61 Windows and Doors - Submit Details of Colour/Finish
13. MATS54 Trickle Vents Shall Not be incorporated into Windows
14. MATS55 Rooflight Details to be Submitted
15. MATS73 External Fixtures
16. MATS70 Guttering Fixed by Gutter Spikes
17. LNDS10 Details of Hardsurfacing to be Submitted
18. MISC00 No work shall commence to clear the site in preparation for the development hereby permitted until details of a programme of works to mitigate the impact of the development on any bats at the site have been submitted to and approved in writing by the Local Planning Authority. The programme shall include a further survey of the buildings to determine the extent of any bat presence and a written scheme of mitigation measures. The work shall not be carried out otherwise than in accordance with the details so approved.


Reasons for Conditions

1. To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.



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 The Old Vicarage
 Bondgate
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Reasons for Conditions (Continued)

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. In order to comply with NYM Core Policy J which seeks to restrict the occupancy of new residential development to those with a local links and an essential need to live in the locality.
5. 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.
- 6 – 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 – 16. 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.
17. In the interests of the satisfactory appearance of the development and in order to comply with the provisions of NYM Development Policy 3 which seeks to ensure that development proposals incorporate suitable hard landscaping details.
18. In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.

Consultations

Parish - Comment this is an excellent proposal and is in full support.

Highways - No objections.

Yorkshire Water - A water supply can be provided but the area is not served by the public sewerage network.

Environmental Health - No objections.

Natural England - No objections.

Forestry Commission -

Site Notice Expiry Date - 26 March 2014

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Others - David Harrison, The Everley Hotel, Hackness – Objects to the proposal for the following reasons:

- Contrary to the policy for the development of non-residential buildings;
- Set a precedent for development of similar buildings, as different options for the site have not been fully investigated and buildings have just been left to deteriorate;
- The proposed raised courtyard and wall will be detrimental to the character of the buildings and would totally change the appearance of the courtyard.
- The proposed wall would obstruct access rights to the beer cellar and oil store for the Everley Hotel which are accessed from the courtyard and will result in large delivery wagons having to pull in and then reverse out onto Mowthorpe Road, a busy 60 mph road, which would be extremely dangerous. At present delivery wagons can pull in to the courtyard and turn around to exit safely in forward gear.
- The submitted plans are inaccurate as they do not show the ramp for disabled access to the side door of the holiday cottage, which would further reduce the access to the stores if the wall was granted in its present position.
- The raised courtyard and wall would block the natural light into and be extremely detrimental to the existing view from one of the rooms of the holiday cottage to the Everley Hotel which looks onto the courtyard and buildings opposite.

Background

This application relates to an L-shaped range of traditional stone and pantile outbuildings (circa early 19th century) lying to the south of Hackness on the west side of the Mowthorpe Road which heads north from West Ayton through the Forge Valley. The buildings were once the outbuildings to The Everley Hotel which lies immediately to the south but are now in separate ownership.

In 1998 planning permission was granted for the conversion of the outbuildings into a holiday cottage and a private dwelling. However as no work commenced on that, the permission has since lapsed. More recently, in 2013, planning permission was granted for a temporary two year period for the use of The Everley Hotel as a tea room with living accommodation and a holiday cottage.

Planning permission is now sought for the conversion of this range of outbuildings into a four bedroom local occupancy family dwelling with integral garage. Details of a qualifying person were submitted with the application. No extensions are proposed to the buildings, only alterations to the fenestration. It is however proposed to demolish the detached range of dilapidated single storey buildings lying to the west of the main L-shaped range and the land used as garden to the proposed dwelling with a ha-ha wall to the field beyond. The scheme also proposes to raise the level of the courtyard with retaining walls to provide a vehicle turning and parking area for the occupants of the proposed dwelling. A new stone boundary wall is proposed to provide a degree of separation and delineation of the courtyard between the proposed dwelling and The Everley Hotel to the south.

Accompanying the application is an Environmental Assessment and Structural Report.

Main Issues

The relevant policies of the Local Development Framework are Core Policy J and Development Policies 3 and 8.

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Main Issues (Continued)

Core Policy J 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. In the Open Countryside new housing development is limited to that which is proven as essential for farming, forestry or other essential land management activities, replacement dwellings and conversion of traditional rural buildings for residential letting for local needs.

Development Policy 3 seeks to maintain and enhance the distinctive character of the National Park by high standards of design detailing, whether traditional or contemporary, and good quality sustainable design that complements that of the local vernacular.

Development Policy 8 is supportive of 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. The policy requires the buildings to be of architectural or historic importance; make a positive contribution to the character of the area; be structurally sound, and to be of sufficient size to accommodate the proposed use without the need for significant alterations or extensions. The proposed use needs to be compatible in nature, scale and levels of activity with the locality, and the proposed conversion must be of a high quality of design and not require harmful changes to the building's curtilage or new vehicular access or parking areas. In the case of long-term/permanent residential uses, the occupancy of the accommodation will be restricted to a person satisfying the local needs criteria set out in Core Policy J and the tenure will be restricted to letting only and the unit will not be sold off separately from the main dwelling.

These former outbuildings to The Everley Hotel are an extremely attractive range of buildings, of architectural importance and which make a positive contribution to the character of the area; certainly their loss would be of detriment to the landscape of this part of the National Park. The buildings have lain vacant for a number of years as various people have attempted to run the hotel viably and are in need of repair, particularly the roofs. They are for the most part structurally sound but as is typical with the conversion of traditional rural buildings, the roofs will need replacing and there are small localised masonry repairs required along with a small section of wall to be rebuilt. The scheme proposes an internal structure built off an internal raft which will minimise any additional loading on the existing construction.

The proposed scheme of conversion requires no extension to the existing buildings and limited alteration. Good use has been made of existing openings and the number of rooflights proposed has been kept to a minimum.

With regard to the treatment of the courtyard, it is appreciated that the applicant will need some form of enclosure from the road and also some form of delineation and screening between the proposed dwelling and the holiday cottage, beer cellar and oil store to The Everley Hotel. The proposal involves the raising of the level of the courtyard to create a level parking area suitable for a wheelchair user and raised planting beds. The plans as originally submitted showed some significant changes in level across the courtyard and walls of a height of almost 2.3 metres in front of the outbuildings to The Everley Hotel. Officers were concerned this would make the car parking much more prominent to public view, create a very domestic feel to this former yard and detract from the setting of these attractive outbuildings. Amended plans have since been received lowering the courtyard level by 200mm and revising the courtyard wall adjacent to The Everley Hotel so that it steps down the slope and is now only 1 metre high above ground level in front of these outbuildings. Officers consider this to be a significant improvement which addresses their initial concerns.

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Main Issues (Continued)

In terms of the use of the buildings, these were severed from The Everley Hotel circa 2006 so there is no existing dwelling to tie the ownership of the proposed dwelling to form a 'local occupancy letting dwelling'. This is strictly contrary to the principles of Core Policy J and Development Policy 8. However Officers feel that this is a very attractive range of buildings which make a positive contribution to the character of the National Park and are worthy of retention. It is considered that it would be far more detrimental to the landscape character of this part of the National Park to allow the buildings to fall into disrepair rather than allow a high quality, sensitive scheme of conversion. As such Officers consider that an exception to the tenure requirements of Core Policy J and Development Policy 8 could be made in this case for the reasons previously given and also as the proposed occupants would comply with the local occupancy criteria.

With regard to the neighbour's concerns regarding loss of light to and outlook from the holiday cottage, it is principally the bedroom window that will be affected. The proposed wall at this point would be 1.5 metres max above the existing ground level to the front of the holiday cottage and some 3 metres away. This will give a greater sense of enclosure to the bedroom but this would not be significantly detrimental in Officers opinion particularly as this is a holiday cottage and therefore not occupied on a permanent basis and also the window presently overlooks land not in the neighbour's control. The issues raised with regard to rights of access to the beer cellar and oil store are civil matters to be addressed by the parties concerned. However Officers are seeking to address the comments with regard to the alterations to the character of the courtyard with the agent as detailed above together with the revised treatment of a large rectangular projecting ariel window to the north west elevation.

The Environmental Assessment report submitted in support of the application states that minor evidence of habitation by bat species was recorded in the buildings and recommends that a further survey should be undertaken prior to the commencement of conversion operations to assess and confirm the actual presence of both bat and bird communities and to confirm the requirements for a mitigation plan. This can be a conditional requirement of any permission.

Explanation of how the Authority has Worked Positively with the Applicant/Agent

The Local Planning Authority has acted positively and proactively in determining this application by identifying matters of concern within the application (as originally submitted) and negotiating with the applicant acceptable amendments to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.