

North York Moors National Park Authority

Scarborough Borough Council
Parish: Egton

Application No: NYM/2016/0614/FL

Proposal: Variation of condition 2 (material amendment) of planning approval NYM/2006/0006/FL to allow alterations to northern range to include omission of 1 no. unit of holiday accommodation, subdivision of three bed unit to 2 no. one bed units together with alterations to windows, installation of rooflights and flue pipes, erection of decking and construction of longer retaining wall (part retrospective)

Location: Newbiggin High Farm, Aislaby

Decision Date: 9 November 2016

Consultations

Parish – No objection.

Highways – On the clear understanding that this application will be conditioned to remain ancillary to the main residence, there are no local highway authority objections to the application.

Natural England – No comment.

Environmental Health Officer – In principle I have no objection to this development, however the applicant should be advised that there is no protected route of escape from the first floor bedroom and necessary fire precautions should be installed. Assumes the Fire Authority and Building Control will comment on this matter.

Site Notice Expiry Date – 27 October 2016.

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME 01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.																		
2.	PLAN 03	<p>The development hereby approved shall only be carried out in accordance with the amendments which comprise the alterations to northern range to include omission of 1 no. unit of holiday accommodation, subdivision of three bed unit to 2 no. one bed units together with alterations to windows, installation of rooflights and flue pipes, erection of decking and construction of longer retaining wall (part retrospective) as shown on the following documents:</p> <table><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Elevations</td><td></td><td>14 September 2016</td></tr><tr><td>Floor plans</td><td></td><td>3 November 2016</td></tr><tr><td>Location of decking and retaining walls</td><td></td><td>14 September 2016</td></tr><tr><td>Decking and retaining wall</td><td></td><td>14 September 2016</td></tr><tr><td>East elevation deck area</td><td></td><td>3 November 2016</td></tr></tbody></table> <p>The development shall otherwise accord completely with the approved plans and imposed conditions of planning approval NYM/2006/0006/FL.</p>	Document Description	Document No.	Date Received	Elevations		14 September 2016	Floor plans		3 November 2016	Location of decking and retaining walls		14 September 2016	Decking and retaining wall		14 September 2016	East elevation deck area		3 November 2016
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Conditions (Continued)

3.	RSUO 00	The letting units hereby approved shall not be used for residential purposes other than holiday letting purposes. For the purpose of this condition 'holiday letting' means letting to the same person, group of persons or family for period(s) not exceeding a total of 28 days in any one calendar year. The units shall remain as part of the Newbiggin High Farm planning unit and shall not be sold off separately or leased off except in accordance with the provisions above.
4.	CDLB 05A	This permission has been granted in accordance with the details specified in the survey prepared by Close, Granger, Gray and Wilkin received on 24 February 2006. More extensive works of demolition and rebuilding that does not accord with these details may render the permission invalid and may require a further grant of planning permission from the Local Planning Authority.
5.	WPDR 01	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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 14 Classes A to I of that Order shall take place without a further grant of planning permission being obtained from the Local Planning Authority.
6.	MATS 04	All new stonework and roofing tiles used in the development hereby permitted shall match those of the existing building, including the colour and texture of the stone and the method of coursing, pointing, jointing and mortar mix unless otherwise agreed with the Local Planning Authority.
7.	MATS 40	No work shall commence on the installation of any replacement or new windows (and glazing if included) in the development hereby approved until detailed plans showing the constructional details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. Such plans should indicate, on a scale of not less than 1:20, the longitudinal and cross sectional detailing including means of opening. The window frames 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.
8.	MATS 46	The external face of the frame to all new windows shall be set in reveals to match those of the existing windows and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9.	MATS 00	The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight as agreed (plan rec'd 3 November 2016) and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	MATS 60	All new window frames, glazing bars, external doors and door frames shall be of timber construction and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
11.	MATS 70	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.
12.	MATS 72	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.
13.	MATS 74	All flues associated with the proposed development shall be coloured matt black and maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.

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Informative(s)

1.	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 etc) Regulations 1994. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted on 0300 060 3900 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 information to contact Natural England or the Bat Conservation Trust national helpline on 0845 1300 228.
2.	The proposed development lies within a coal mining area which may contain unrecorded mining related hazards. If any coal mining feature is encountered during development, this should be reported to The Coal Authority. Any intrusive activities which disturb or enter any coal seams, coal mine workings or coal mine entries (shafts and adits) requires the prior written permission of The Coal Authority. Property specific summary information on coal mining can be obtained from The Coal Authority's Property Search Service on 08457626848 or at www.groundstability.com

Reason for Condition(s)

1.	RSN TIME 01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	RSN PLAN 01	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.	RSN RSU0 11	The site is in a location where new residential development would be contrary to NYM Core Policy J but permission for holiday accommodation has been permitted to ensure that a traditional rural building is conserved in line with NYM Development Policy 8.
4.	RSN CDLB 02	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.
5.	RSN WPDR 01	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.
6.	RSN MATS 01	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.
7 to 13.	RSN MATS 02	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.

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Background

This application is to vary planning permission NYM/2006/0006/FL to allow alterations to northern range of outbuildings to include omission of 1 no. unit of holiday accommodation, subdivision of three bed unit to 2 no. one bed units together with alterations to windows, installation of rooflights and flue pipes, erection of decking and construction of longer retaining wall (part retrospective).

Newbiggin Hall Farm is located on the north side of the Esk Valley, approximately half way between Aislaby and Egton. The farm is accessed by an upgraded access off the narrow minor back road between the two villages. The farm comprises an "L" plan of traditional unlisted rural buildings on two sides of the yard, the eastern range is now a fully converted and operational holiday cottage.

In 2006, approval was granted for the formation of three holiday letting cottages within the traditional range of buildings to the north of the fold yard, part conversion, part new build service facilities and a leisure facility to include a swimming pool. When undertaking the work however the traditional building (west) to be converted was demolished with only two walls remaining. A new build version of the swimming pool and service building facility was later submitted with an agricultural character and appearance. A bat scoping survey was submitted with the application. This building later became a domestic garage and garden store along with the creation of a bat roost at first floor level instead of a swimming pool.

This current application is to vary parts of the northern range of outbuildings which have been partly been converted. Rather than three cottages as originally planned this application seeks consent for 2 cottages and for the time being it is proposed to retain the large building at the south west end of the northern range for domestic storage purposes and as such it does not form part of this application.


The remainder of the northern range is to be altered to form 2 no. one bed units of holiday accommodation together with replacement windows and insertion of 2 no. rooflights, relocation of an existing rooflight and 2 no. flue pipes. In effect the buildings require proper completion and that is now the applicant's intention as the site was acquired part way through implementation of the 2006 consent.

Other parts of the application seek to regularise work done by the applicant and the previous owner which required consent as permitted development rights were removed. They include an area of decking at the east end and a longer retaining wall than originally planned at the rear of the northern range to hold up the banking and in turn protect the buildings the subject of this application. Retaining walls are a prominent feature throughout the site given the topography of the area.

In all other respects the development for the northern range of buildings remains are per NYM/20036/0006/FL planning permission.

Main Issues

Development Policy 8 of the NYM Core Strategy and Development Plan Documents deals with the conversion of traditional unlisted rural buildings, however some of the principles can be considered useful here where it relates to the conversion of a traditional 'listed' building outside of a settlement.



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Main Issues (Continued)

(DP8 continued) ...The proposed use will be compatible in nature, scale and level of activity with the other buildings in the group and the character of the locality. The proposal is of a high quality design which retains existing external features which contribute significantly to the character of the building including original openings and roofing materials; reflects the simple functional form and traditional character of the building and provides for essential services and other functional requirements without harm to the fabric of the building or its setting.

Development Policy 3 of the NYM Core Strategy and Development Plan Documents seeks to maintain and enhance the distinctive character of the National Park by ensuring that the siting, layout and density of development preserves or enhances views into and out of the site; that the scale, height, massing, materials and design are compatible with surrounding buildings; that the standards of design details are high and complements that of the local vernacular; good quality sustainable design and construction techniques are incorporated; that there is satisfactory landscaping and that the design takes into account the safety, security and access needs for all potential users of the development.

The aim of the proposal is to press ahead with the full completion of the scheme to the applicant's specification and bring the earlier conversion scheme to a standard for the current holiday letting market.

The principle of permitting the conversion of the northern range of traditional unlisted rural buildings to holiday accommodation is one that has already been justified in 2006 and therefore the main issue is whether the proposed modifications are acceptable in terms of impacting on the buildings themselves.

The changes are not considered to be harmful as they are small scale changes to insert 2 no. additional rooflights and relocating one existing. The rooflight scale and specification has been submitted in order to ensure that any uniformity to the principle north and south facing roofslopes are not considered to result in any significant visual harm on the range of buildings. The window changes, flues and retaining walls fall within the above remit in they would not be detrimental features to the overall scheme, some of which are already in situ on the site and functionally allow the site to operate successfully.

On balance the proposed modifications remain compatible in nature and scale with the existing group of buildings at Newbiggin High Farm. As such the development is in accordance with Development Policies 3 and 8 of the NYM Core Strategy and Development Plan Documents. Approval is recommended.

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 assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.



