

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Cloughton

Application No. NYM/2016/0765/FL

Proposal: conversion of redundant agricultural buildings to 2 no. local occupancy letting dwellings/holiday letting cottages with associated parking

**Location: Calfthwaite Farm
Staintondale Road
Cloughton**

Decision Date: 20 December 2016

Consultations

Parish – No overall objection and feel it is good that the buildings are being preserved. However, minor concern that the proposal will result in an intensification of use of the access track and the impact on highway safety since it is close to a blind summit.

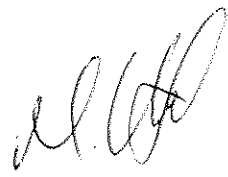
Highways - No objections. The site is located a distance from the Highway along a narrow, single vehicle width private track. This access track provides access for the farm house and the farming operation which is separately run. As the track is private, the Highway Authority cannot recommend that passing places are installed however it would be advisable to avoid significant reversing distances should two vehicles meet.

The design standard for visibility for the site requires a visibility splay of 45 metres by 2.5 metres to the north of the access and 90 metres by 2.5 metres to the south of the access. This difference is due to the alignment of the road, with traffic speeds for vehicles heading towards Staintondale being higher than those heading towards Cloughton. The available visibility to the north is only 3 metres short of the required. The available visibility to the south is 80 metres, which is again short of the required standard, however this is an existing constructed access. The short fall in the required distances is not considered to be significant enough to warrant a refusal for a development of this size on an existing access. There is an additional access to the highway a short distance away and this access was historically the main access to both the farm house and the separate farm operation however this use has been separated at some point by private covenant and the applicant constructed the red line access.

The conversion of the existing barns will not have a significant effect on the public highway and on the clear understanding that this application will be conditioned to remain ancillary to the main residence, there are no objections.

Environmental Health-

Advertisement Expiry Date – 30 November 2016


19th Dec - 2016

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Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME01	The development hereby permitted shall be commenced before the expiration of three years from the date of this permission.									
2.	PLAN01	<p>The development hereby permitted shall not be carried out other than in strict accordance with the following documents:</p> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Document Description</th> <th style="text-align: left;">Document No.</th> <th style="text-align: left;">Date Received</th> </tr> </thead> <tbody> <tr> <td>Proposed block plan</td> <td>D10989-04D</td> <td>24 October 2016</td> </tr> <tr> <td>Proposed plans and elevations</td> <td>D10989-03F</td> <td>24 October 2016</td> </tr> </tbody> </table> <p>or in accordance with any minor variation thereof that may be approved in writing by the Local Planning Authority.</p>	Document Description	Document No.	Date Received	Proposed block plan	D10989-04D	24 October 2016	Proposed plans and elevations	D10989-03F	24 October 2016
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Proposed block plan	D10989-04D	24 October 2016									
Proposed plans and elevations	D10989-03F	24 October 2016									
3.	WPDR00	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.									

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4.	RSU000	<p>The occupation of the accommodation units hereby permitted shall be limited to either:</p> <ul style="list-style-type: none"> i) a qualifying person; and ii) a wife or husband (or person living as such), licensee, dependant or sub-tenant of a qualifying person. <p>or for holiday letting purposes.</p> <p>For the purpose of the above, a person is a qualifying person in relation to the accommodation if he/she has an interest in the dwelling (see Note A) and, immediately prior to occupying the dwelling, he/she satisfied the Local Planning Authority that he/she was in need of local needs housing in terms of the criteria set out in Core Policy J of the adopted North York Moors Local Development Framework, namely that he/she:</p> <ul style="list-style-type: none"> a) is currently living in and has permanently resided in the National Park for five years or more and is living in accommodation that no longer meets their requirements or b) does not currently live in the National Park but has a strong and long standing link to the local community including a previous period of residence of five years or more or c) has an essential need to move to live close to relatives who are currently living in and have resided in the National Park for at least the previous five years or more and require support for reasons of age or infirmity or d) requires support for reasons of age or infirmity and need to move to live close to relatives who are currently living and have resided in the National Park for at least the previous five years or more or e) needs to live in the National Park as a result of current sole employment within that parish or adjacent parishes within the National Park. <p>Prior to the occupation of the development the qualifying person shall have obtained confirmation in writing from the Authority that they satisfy the local need criteria outlined in points a - e above.</p> <p>Note A: For the purposes of the above, a person has an interest in the dwelling if he/she has a freehold or leasehold interest in the whole or any part of it, or is a secure tenant or statutory tenant within the meaning of the Housing Act 1985 or the Rent Act 1977.</p> <p>Note B: For the purposes of the above, resident within the National Park will include the whole of parishes split by the National Park boundary with the following exceptions; Allerston, Beadlam, Burniston, East Ayton, East Harisey, Ebberston and Yedingham, Great Ayton, Great and Little Broughton, Great Busby, Guisborough, Ingleby Arncliffe, Irton, Kirkby in Cleveland, Kirkbymoorside, Lockwood, Nawton, Newby, Pickering, Potto, Scalby, Snainton, Sutton under Whitestonecliffe, West Ayton.</p> <p>Note C: 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.</p>
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5.	RSUO00	The units of accommodation hereby permitted shall form and remain part of the freehold of the existing dwelling known as Calfthwaite Farm and shall not be sold off from the main dwelling, other than as leaseholds for local occupancy letting units or holiday accommodation in accordance with the terms of condition 4 above without a further grant of planning permission from the Local Planning Authority.
6.	GACS07	No external lighting shall be installed in the development hereby permitted until details of lighting have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the details so approved and shall be maintained in that condition in perpetuity.
7.	CDLB05A	This permission has been granted in accordance with the details specified in the survey prepared by R.O Birdsall M.Sc. M.I.C.E Chartered Engineer, received on 24 October 2016. 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.
8.	MATS04	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.
9.	MATS22	All pointing in the development hereby permitted shall accord with the following specification – a lime mortar mix of 1:2 ¹ / ₂ (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.
10.	MATS52	The lintels and cills of all new windows hereby approved, together with any replacement lintels and cills, shall be of natural or reclaimed stone to match the existing in terms of dimension, tooling, shape, colour and texture and shall be maintained in that condition in perpetuity.
11.	MATS56	The rooflights to be installed in the development hereby permitted shall be a conservation style rooflight unless otherwise agreed in writing with the Local Planning Authority.
12.	MATS60	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.
13.	MATS00	All new window frames, glazing bars and external doors and door frames shall be of timber construction, stained dark brown (or other colour if approved by the Local Planning Authority) within six months of the date of installation and shall be maintained in that condition in perpetuity, unless otherwise agreed in writing with the Local Planning Authority.
14.	MATS70	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.
15.	MATS72	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.
16.	MATS74	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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17.	HWAY16	No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing D10989-04D Once created these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
18.	MISC00	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 7.1 and 7.2 of the submitted Bat and Barn Owl Survey dated 6 th October 2016.
19.	MISC00	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 6 of the submitted Amphibian Method Statement dated 26 th November 2016.

Informative(s)

1.	Whilst not a requirement of the Highway Authority, the provision of a passing place along the private track would be advisable to avoid significant reversing distances should two vehicles meet.
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Reason for Condition(s)

1.	TIME01	To ensure compliance with Sections 91 to 94 of the Town and Country Planning Act 1990 as amended.
2.	PLAN01	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.	WPD01	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.	RSUO00	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 or to provide holiday accommodation.
5.	RSUO09	The site is in a location where the occupation of the accommodation hereby permitted as a separate independent dwelling unit would be contrary to NYM Core Policies B and J.
6.	GACS01	In order to comply with the provisions of NYM Core Policy A which seeks to ensure that new development does not detract from the quality of life of local residents.
7.	CDLB02	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.
8&9	MATS01	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.

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10-17.	MATS02	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.
18.	HWAY16	In accordance with NYM Development Policy 23 and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development.
19.	MISC04	To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with NYM Core Policy C which seeks to conserve and enhance the quality and diversity of the natural environment.

Background

This application relates to a group of traditional stone built buildings set in a farmstead arrangement, adjacent to the residential dwelling known as "Calfthwaite Farm" which is a property which is now entirely in domestic use. The agricultural land to west is now in separate ownership.

The existing house and outbuildings are accessed via a narrow stoned track, from the main Cloughton to Staintondale Road. The farmstead and buildings beyond the house are accessed via the same track, although there is a separate access onto the highway.

This application seeks full planning permission to convert the group of buildings into residential accommodation comprising two local occupancy letting units or holiday letting units, to enable a flexible use.

Unit 1 would incorporate the two storey building which is set across the yard from the existing dwelling and would also incorporate the single storey element of the building which is at right angles to it – to form an L shaped unit. The cottages would comprise a lounge, kitchen, 2 bedrooms and bathroom on ground floor and a bedroom at first floor. The second unit would be accommodated within the remainder of the run of the building which is set at right angles to the house and would provide lounge, kitchen and bedroom at ground floor and 2 bedrooms and bathroom at first floor.

Two elements of this outbuilding would be retained to provide storage to serve the main house and also the new units of accommodation.

The buildings are in reasonable condition, and a structural survey has been submitted to demonstrate they are structurally sound, although there will be some localised re-building required, tying and re-roofing.

The applicant has been enquiring regarding the possible conversion of these buildings over a number of years and whilst their condition has deteriorated and some elements no longer are roofed, the elevations of the buildings are still sound.

Good use is made of existing openings and all windows and doors would be of timber construction.

Garden areas and parking would be located tightly around the converted buildings.

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Main Issues

Core Policy J of the NYM Development Plan 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.

Development Policy 8, which applies to unlisted traditional rural buildings seeks to ensure that where proposals are for long term residential uses the accommodation is 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. Historically National Planning Policy has sought to retain agricultural buildings for economic uses rather than residential. However following public consultation the Core Strategy and Development Policies document sought to also provide opportunities for these buildings to be used for local letting, which could help to address the housing shortage and provide a contribution to the local economy.

Development Policy 3 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 and design are compatible with surrounding buildings; that the standards of design are high; 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 recent changes to permitted development rights outside of protected areas demonstrate that Government considers the conversion of agricultural buildings to residential use as important in terms of providing housing. The properties, whilst located in the open countryside, are within a loose knit settlement, with residential accommodation on the opposite side of the road, and also scattered along Staintondale Road.

In terms of Development Policy 8, the conversion of the buildings would meet all the criteria, although a little more re-building will be required than on other similar schemes. However, in the light of recent Central Government announcements referred to above, it is considered that this could no longer be considered as a reason for refusal. It is considered that the proposal is in the spirit of current government advice and would not have a detrimental impact on the character of the locality.

Whilst not listed, the buildings do have some historical significance and the proposed conversion would retain their original character.

In view of the above considerations, approval is recommended.

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

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and confirmed to the applicant/agent that the development is likely to maintain the economic, social and environmental conditions of the area.



