

North York Moors National Park Authority

District/Borough: Scarborough Borough Council
(South)
Parish: Harwood Dale

Application No. NYM/2017/0453/FL

Proposal: variation of conditions 2 and 5 of planning approval NYM/2016/0315/FL to allow alterations to doors, windows and rooflights and to omit chemical damp proof course

Location: Burgate Farm
Harwood Dale

Decision Date: 04 September 2017

Consultations

Parish – No objections

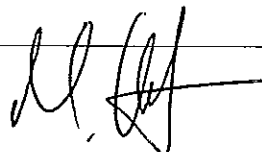
Site Notice Expiry Date – 14 August 2017

Director of Planning's Recommendation

Approval subject to the following condition(s):

1.	TIME15	The development hereby permitted shall be commenced before the 21 November 2019.
2.	PLAN02	The development hereby approved shall be only carried out in strict accordance with the detailed specifications and plans comprised in the application hereby approved or in accordance with any minor variation thereof that may be approved by the Local Planning Authority.
3.	WPDR01	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.
4.	RSU009	The accommodation hereby approved shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as Burgate Farm and shall form and shall remain as part of the curtilage of this main dwelling as a single planning unit and shall be used only for members of the family of the occupier of the main dwelling.

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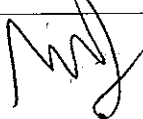


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5.	CDLB00	This permission has been granted in accordance with the details specified in the survey prepared by Richard Agar Associates Limited received on 15 June 2016, other than the omission of the chemical damp proof course . More extensive works 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.
6.	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, other than as detailed in the email from Catriona Cook MBE (Mrs) received on 11 November 2017, unless otherwise agreed with the Local Planning Authority.
7.	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.
8.	MATS00	The doors in the development hereby approved (and any replacements) shall be installed in accordance with the approved detailed plans received on 5 th October 2017 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
9.	MATS00	The windows to be installed (and any replacement windows) in the development hereby approved shall be installed in accordance with the details received on 13 th and 17 th November 2017 and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
10.	MATS47	The external face of the frame to all new windows shall be set in a reveal of a minimum of 50mm from the front face of the adjacent walling and shall be maintained in that condition in perpetuity unless otherwise agreed in writing with the Local Planning Authority.
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.	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.
13.	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.
14.	MISC00	The development hereby permitted shall be carried out in accordance with the mitigation measures set out in Section 9 of the submitted Bat Survey prepared 05 May 2017 and received at the Authority on 08 May 2017 by John Drewett Ecology.

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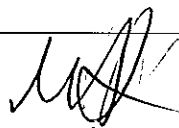
Informative

1.	<p>MISC INF 01 - BATS</p> <p>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.</p>
2.	<p>The applicant's attention is drawn to Condition 3 of planning approval NYM4/026/0004E/PA which restricts the existing annexe attached to the farmhouse to occupation by members of the family or occupier of the main dwelling only. Any occupation by a farm worker or use as holiday accommodation will require a separate grant of permission from the Local Planning Authority.</p>

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.	WDPR01	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.	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.
5.	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 8.
6.	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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7 to 13.	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.
14.	MISC02	In order to comply with the provisions of NYM Core Policy C which seeks to protect species protected under national and international legislation.

Background

Burgate Farm is a working dairy farm, located in a valley bottom approximately one kilometre east of Harwood Dale village. It is barely visible from the road and is accessed via single track lane which passes through two other farms/properties before terminating at Burgate Farm. The main farm comprises a traditional stone under slate farmhouse with a range of traditional stone under pantile agricultural buildings forming a courtyard with an extensive range of modern farm buildings (including milking parlour) beyond.

Planning permission has previously been granted (and implemented) for the conversion of a single storey range of traditional outbuildings attached to the main farmhouse to a family annexe. The bulk of other recent planning applications at the site relate to agricultural buildings and works.

Planning permission was subsequently granted in 2016 for extensions and alterations to the westernmost outbuilding to allow its conversion to an additional unit of residential accommodation.

This application seeks amendments to that scheme, and also within this application, approval is sought for window details that were previously required by condition.

The variations to the previous scheme include omitting the chemical damp proof course, amendments roof light details and incorporation of a recessed roof space between the stables and the barn conversion, in order to enable external access to the gutters.

Main Issues

The relevant policies of the NYM Core Strategy and Development Policies Document to consider with this application are Development Policy 8 (Conversion of unlisted Rural Buildings) and Core Policy J (Housing) together with the advice contained within Part 4 of the Authority's adopted Design Guide.

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Core Policy CPJ 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.

Development Policy 8 of the 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 historical 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 required changes to the buildings curtilage or new vehicular access or parking areas. In the case of long-term/permanent residential uses, the occupancy of 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.

Part 4 of the Authority's adopted Design Guide (The Re-use of Traditional Rural Buildings) identifies that the pattern of openings is a direct product of the historic function of the building and given that many buildings were used as a means of storage or shelter openings were generally kept to a minimum. Design guidelines recommend that the insertion of new openings in otherwise blank elevations (or where there is no evidence of previous openings) should be avoided.

The main issues are considered to be whether the proposed conversion is of a sensitive design and the proposed use is in accordance with the adopted planning policies.

The principle of the development for conversion has already been accepted through the approval the 2016 application. The issue for consideration with this application is the impact on the character of the building of the roof light amendments and the window and door details and the recessed roof space.

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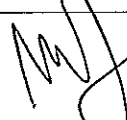
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It is considered that the amendments proposed will not have an unacceptable impact on the overall character of this conversion scheme, and the windows and door details have been agreed after lengthy negotiations, and are now considered to be acceptable.

In view of the above, 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 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.

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