

## North York Moors National Park Authority

District/Borough: Ryedale District  
Parish: Lockton

Application No. NYM/2017/0781/FL

Proposal: construction of 1 no. agricultural workers dwelling with associated access, parking and amenity space (outline approved under NYM/2017/0409/OU)

Location: Low Pasture Villa Farm  
Pasture Road  
Lockton

Decision Date: 05 January 2018

### Consultations

Parish -

Highways – No objections

Environmental Health Officer –

Forestry Commission -

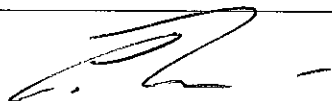
Site Notice Expiry Date – 4 December 2017

### 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 border="1"><thead><tr><th>Document Description</th><th>Document No.</th><th>Date Received</th></tr></thead><tbody><tr><td>Proposed floor plans</td><td>PD229-01-B</td><td>7 December 2017</td></tr><tr><td>Proposed elevations</td><td>PD229-02-B</td><td>7 December 2017</td></tr><tr><td>Proposed site plan</td><td>PD229-03-A</td><td>7 December 2017</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 floor plans | PD229-01-B | 7 December 2017 | Proposed elevations | PD229-02-B | 7 December 2017 | Proposed site plan | PD229-03-A | 7 December 2017 |
| Document Description | Document No. | Date Received  |                      |              |               |                      |            |                 |                     |            |                 |                    |            |                 |
| Proposed floor plans | PD229-01-B   | 7 December 2017  |                      |              |               |                      |            |                 |                     |            |                 |                    |            |                 |
| Proposed elevations  | PD229-02-B   | 7 December 2017  |                      |              |               |                      |            |                 |                     |            |                 |                    |            |                 |
| Proposed site plan   | PD229-03-A   | 7 December 2017  |                      |              |               |                      |            |                 |                     |            |                 |                    |            |                 |
| 3.                   | RSUO06       | The occupation of the dwelling shall be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.  |                      |              |               |                      |            |                 |                     |            |                 |                    |            |                 |

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Date:

5/1/18

Application Number: NYM/2017/0781/FL

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| 4.  | RSU007 | The occupation of the existing dwelling known as Low Pasture Villa Farmhouse shall from the date of the commencement of the development hereby permitted be limited to a person solely or mainly employed, or last employed, in the locality in agriculture as defined in Section 336 of the Town and Country Planning Act 1990 (or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order), or in forestry, or a dependant of such a person residing with him or her, or a widow or widower of such a person.  |
| 5.  | WPDR01 | Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 (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 40 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.  | 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.  | MATS06 | No work shall commence on the excavation works for the development hereby permitted until a one metre square freestanding panel of stonework showing the type of stone and stonework to be used in the construction of the development hereby permitted has been constructed on site and approved in writing by the Local Planning Authority. All new stonework shall match that of the approved panel both in terms of the stone used and the coursing, jointing and mortar mix and finish exhibited in the panel unless otherwise agreed in writing by the Local Planning Authority. The stone panel constructed shall be retained until the development hereby approved has been completed. |
| 8.  | MATS15 | The roof of the development hereby permitted shall be clad with traditional, non interlocking, non pre-coloured natural red clay pantiles and shall be maintained in that condition in perpetuity unless otherwise agreed in writing 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 <sup>1</sup> / <sub>2</sub> (lime; sand (sand mix of 50% sieved sharp sand and 50% builders sand)) with a slightly recessed bagged finish.   |
| 10. | MATS00 | No work shall commence on the installation of any new or replacement windows in the development hereby approved until detailed plans or brochure details showing the details of all window frames to be used in the development have been submitted to and approved in writing by the Local Planning Authority. 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.   |

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| Signature:  | Date:<br>5/1/18 |
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**Application Number: NYM/2017/0781/FL**


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| 11. | 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.  |
| 12. | 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.  |
| 13. | DRGE04  | Providing ground conditions are suitable, septic tank effluent shall be disposed of via a sub-soil irrigation system no part of which shall be within 10 metres of a watercourse, ditch or surface water drain. If ground conditions are unsuitable for the disposal of septic tank effluent via a soakaway system, no work shall commence on excavation works to install drainage to serve the development hereby permitted until details of an alternative method of foul drainage has been submitted to and approved by the Local Planning Authority. The development shall not be brought into use until the drainage works have been completed in accordance with the approved details.  |
| 14. | LNDS01  | Prior to the development being brought into use details of a landscaping scheme for the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of any existing hedges and trees to be retained on the site together with any measures for managing/reinforcing these and shall specify plant species, sizes and planting densities for any new areas of planting. The approved details shall be carried out no later than the first planting season following the occupation of the buildings, or completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. The approved landscaping scheme shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority. |
| 15. | LNDS02A | All hard and soft landscape works comprised in the approved details of landscaping shall be carried out no later than the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner, or in accordance with a programme agreed by the Local Planning Authority. Any trees or plants planted in accordance with this condition which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the current or next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.  |

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5/1/18

Application Number: NYM/2017/0781/FL

**Reason for Condition(s)**

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| 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.       | RSUO06 | The site of the proposed dwelling is in an area where NYM Core Policies B and J and Planning Policy Statement 7 seek to restrict new residential development to that which is essential to the needs of local agriculture.  |
| 4.       | RSUO07 | The site of the proposed dwelling is in an area where NYM Core Policy J and Planning Policy Statement 7, Annex A, seek to restrict all the dwellings on a farm to that which is essential to the needs of local agriculture to comply with the provisions of NYM Core Policy A.   |
| 5.       | WPDR01 | 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.       | 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.  |
| 7-9.     | 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.   |
| 10 - 12. | 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.   |
| 13.      | DRGE01 | 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.   |
| 14 & 15. | LNDS1  | 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.  |

Signature:



Date:

5/1/18

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**Application Number: NYM/2017/0781/FL**

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**Background**

This application follows an outline application approved in 2017 for a farm worker's dwelling at Low Pasture Villa Farm which is accessed from David Lane off the main A169 Pickering to Whitby Road, near Lockton. The farm is located at the very end of this lane, which leads to a concrete sleeper track to this isolated farmstead. However, it is visible from the A169 across the fields. The farm is owner occupied and extends 161 acres (77 ha). The farm is predominantly dairy with cattle and sheep contributing to its income.

The dairy enterprise extends to 70 cows for milking and rears its own replacements. There are also fattening cattle, sheep and arable land. The enterprise is a family run business but Mr Natrass senior is nearing retirement age, so labour is provided by Mr Natrass (Junior).

The applicant has chosen to submit a full application for the development, rather than a reserved matters application.

A full need justification was submitted with the outline application, and has been re-submitted with this application, setting out the functional need and financial viability of the business.

There is currently only a single farm house on the site which is occupied by Mr Natrass Senior. Consequently it is proposed to construct a second dwelling on the site for Mr Natrass junior and his family, as the full time worker on the farm.

The proposed dwelling would be located on a level piece of land on the south western side of the farmstead, adjacent the farm access road, but away from the public footpath. The proposed dwelling would measure 10.25m wide x 8m deep with a single storey outshot at the side measuring 4.9m x 4.9m. The accommodation provided would comprise an open plan kitchen/dining/garden room, a living room, utility, boot room, shower room and WC. At first floor there would be three bedrooms and a bathroom.

The house would be of stone and pantile construction with white upvc windows (details to be approved).

The design has been amended as follows, at the request of officers:-

1. The depth of the dwelling has been reduced by 1m with the length increased by 0.25m. This has created a more rectangular footprint.
2. The first floor windows have been reduced in size from the previous scheme.
3. The brickwork detailing has been removed and replaced with stone.
4. A centralized front door has been added to the front (south) elevation.
5. The window layout to the North elevation has been amended.

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5/1/18

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## Main Issues

Core Policy J of the Local 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.

The applicant's holding constitutes a long established agricultural business that has developed to its present position over many years and the financial evidence submitted demonstrates that it is financially viable. It is considered that the proposal would be in accordance with Criteria 3 of Core Policy J.

Case Law demonstrates that it is not reasonable to require a retired farmer to vacate his house to enable the next generation to carry on the farming enterprise and there is no other farmworkers accommodation available on the site, which is a functional need of this holding.

Furthermore, the proposed siting of this new dwelling is well related to the existing agricultural activity on the site and form immediate and wider views be seen against the backdrop of existing development.

It is considered that the revised design details are acceptable and it is not considered that this proposal would have a detrimental impact on the character of the locality of the special qualities of this part of the National park and consequently approval is recommended.

However, in order to ensure that both properties are available to meet future requirements of the farm holding it is recommended that both the proposed and existing farmhouses should be tied to agricultural/retried farmworker occupation.

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

### Approval (Amendments Requested and Received)

The Authority's Officers have appraised the scheme against the Development Plan and other material considerations and recommended changes to the proposal including design detailing, so as to deliver sustainable development.

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