

## NORTH YORK MOORS NATIONAL PARK AUTHORITY

<b>SCARBOROUGH BOROUGH COUNCIL</b> <b>Parish: Cloughton</b>	<b>App Num. NYM/2006/0578/CU</b>
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**Proposal:** change of use of barn to provide farm shop

**Location:** Newlands Farm, Cloughton

**Applicant:** Mr and Mrs A Temple, Newlands Road, Cloughton, Scarborough, North Yorkshire, YO13 0AR

**Agent:** Richard G Winn, Old Barn Cottage, Main Street, Allerston, Pickering, YO18 7PG

**Date for Decision:** 07 September 2006

**Grid Ref:** SE 01013 96086

### CHIEF PLANNING OFFICER'S RECOMMENDATION

APPROVAL subject to the following conditions:

1. TL03 Standard three year commencement date
2. AP01 Original plans amended by plans received on 15 September 2006
3. RU01 Use restricted to that specifically proposed
4. RU00 The retail unit hereby approved shall only sell items grown or made on the property known as Newlands Farm or/and items grown within the parishes of Cloughton, Staintondale, Burniston and Harwood Dale or on other farms in the North York Moors National Park which are owned by the Duchy of Lancaster.
5. GA03 No outside sales or display
6. MT62 Window/door frames to be painted wood
7. HW18 Provision of approved parking, manoeuvring and turning
8. LS01 Landscaping scheme required
9. LS02 Landscaping scheme to be implemented
10. MIS05 The development hereby permitted shall be carried out in accordance with the mitigation measures set out in paragraphs 10.4 to 10.10 of the submitted bat survey dated 28 August 2006.

Reasons for Conditions:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. For the avoidance of doubt and to ensure that the details of the development comply with the provisions of Policies GP3 and BE6 of the North York Moors Local Plan.
3. In order to enable the Local Planning Authority to retain control over future changes of use to the property which would otherwise be permitted by the Town and Country Planning (General Permitted Development Order) 1995 and to comply with the provisions of Policy GP3 of the North York Moors Local Plan and safeguard the amenities of adjacent occupiers.
4. In order to enable the Local Planning Authority to retain control over the scale of activity at the site and ensure compliance with Policy F5 and GP3 of the North York Moors Local Plan which seeks to safeguard public amenity.
5. In the interests of the visual amenities of the locality and to comply with the provisions of Policies GP3 and E4 of the North York Moors Local Plan.

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**Reasons for Conditions (Continued)**

6. For the avoidance of doubt and in order to comply with the provisions of Policies BE6 and GP3 of the North York Moors Local Plan 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.
7. To provide for appropriate on-site vehicle parking facilities with associated access and manoeuvring areas, and to comply with the provisions of Policies T7 and T9 of the North York Moors Local Plan which seeks to ensure that new development has satisfactory highway and parking facilities.
8. In order to comply with the provisions of Policy BE10 of the North York Moors Local Plan 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.
9. In order to comply with the provisions of Policy BE10 of the North York Moors Local Plan 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.
10. To ensure protection of a species protected under the Wildlife and Countryside Act and compliance with Policy NE4 of the North York Moors Local Plan.

**CONSULTATIONS****BOROUGH** -**PARISH** - No objections**HIGHWAYS** - Conditional approval**SITE NOTICE EXPIRY DATE** - 15 August 2006**YORKSHIRE WATER** – No objections**ECOLOGIST** – Happy for permission to be granted subject to the mitigation measures proposed in paragraph's 10.4 – 10.10 of the report**ENGLISH NATURE** – No objection**ENVIRONMENTAL HEALTH** – No objections**Mr & Mrs White, Browside Newlands Road** – Object on the basis that proposal represents over-development of the area, which is more than adequately served with shops, some of whom are struggling to survive. Approval of the farm shop, tea garden and holiday cottages on the other application would further increase the traffic, and thus pollution and noise, along a country road that is barely adequate for the traffic it already carries.

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OTHERS (Continued)

**PR Mainprize, Newlands Cottage, Newlands Road, Cloughton-** Object for the following reasons:

1. overdevelopment of working farm
2. driveway and gateway have already been widened and outside lighting all the way up the drive.
3. Several mature trees have been removed on the roadside on the highway in the last 6 months, to improve visibility from this dangerous entrance.
4. The entrance is very busy with farm traffic adding up to approximately 4,000 entries and exits over a 6 month period. This is on a very fast bend on a road with a 60mph speed limit.
5. There have been several new holiday cottage developments and tea rooms over the last 2/3 years, there are also 4 public houses within a three mile radius. All of these are struggling to make a living. All do accommodation and are open all day for refreshments.
6. Concerned that the sewage plant will cause problems in bad weather into the adjacent fields and my garden.
7. If approved, my cottage will be integrated into the proposed complex at Newlands Farm and yet again another cottage will be lost to people who wish to live in the National Park.

## **BACKGROUND**

Newlands Farm lies on the eastern side of the Cloughton to Staintondale Road, approximately 1 km to the north of Cloughton Village. The farm is in the ownership of the Duchy of Lancaster, and occupied by a tenant. The farm buildings comprise a traditional stone and pantile farmhouse with attached outbuildings and a range of substantial traditional outbuildings forming a courtyard with the farm house. There are also a number of modern agricultural buildings serving the farm. The farm is accessed by a long uphill driveway.

This application seeks full planning permission to convert part of the single storey building which is attached to the farm house into a farm shop that would sell home made sandwiches, cakes, rolls and scones, home grown vegetables and a range of pre-packed food, jams and spices etc, items produced by Duchy owned farms. In addition the shop will stock a range of hand crafted occasions cards produced in the house. The enterprise would be operated by the applicant and her daughter, with no other staff being employed.

In terms of external alterations, it is proposed to install into the existing large cart-shed opening, white painted timber boarding, which would be partly glazed and include a stable door.

It is also proposed to create a gravelled parking area for 6 cars adjacent to the driveway entrance that is at a lower level than the farm buildings. This parking area would provide parking for the farm shop and the proposed holiday cottages being considered under a separate application. This area is partly screened from the road by a stone boundary wall with additional planting to the rear of this.

Members are advised that the tea-garden aspect of the application has been omitted following officer concerns.

## **MAIN ISSUES**

Local Plan Policy TM10 seeks to ensure proposals for small scale visitor attractions where they would increase enjoyment of the special qualities of the National Park and are located in either a settlement

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**MAIN ISSUES (Continued)**

or associated with an existing enterprise and comply with the normal development criteria listed under Policy GP3.

Policy E2 of the Local Plan seeks to allow the re-use of traditional rural buildings for economic uses provided the scale and location of the proposal does not have a detrimental impact on the character and appearance of the locality and wider landscape. Policy F5 seeks to allow proposals for farm diversification where the scale of activity would not be detrimental to the character of the area and be compatible with agricultural operations on the farm, and with building requirements being met through the conversion of existing buildings. Policy T7 seeks to ensure that development is not out of scale with the adjacent road network and Policy T9 seeks to ensure that no more parking spaces are provided than the maximum parking standards.

The main issues are considered to be whether the scale and nature of the operation is suitable for a location in the countryside or whether it should be located within a settlement to discourage additional vehicular trips, together with the suitability of the proposal in relation to the existing farm activity and ability of public roads to serve development safely.

The proposal is quite modest in scale with essentially home made produce. As such it is considered the scale and nature are suitable for a farm based location compatible with Local Plan Policies TM10 and F5.

Similarly the nature of the operation is not considered likely to generate any levels of traffic which would affect highway safety along this coast road. The Highway Authority do not object and the proposals are considered to comply with Local Plan Policy T7.

The additional small car parking area is well positioned and screened partly by an existing stone wall and land form and would not be obtrusive in the locality and would accord with the relevant parts of Local Plan Policy GP3.

Physical alterations to the building in question are relatively minor and the proposal would accord with the provisions of conversion Policy E2.

In view of the above it is considered that this proposal would accord with the relevant policies and approval is therefore recommended.

**Reason For Approval**

The proposal is considered to amount to a sensitive conversion of an existing building and involves a low key use which would compliment the farm location and not be detrimental to highway safety, as such the proposal complies with Local Plan Policies TM10, E2, T7 and F5.