

**Parish: Easingwold**  
**Ward: Easingwold**  
**7**

**Committee date: 28 June 2018**  
**Officer dealing: Mrs C Strudwick**  
**Target date: 6 July 2018**

**18/00810/FUL**

**Retrospective change of use from office (B1 use) to a dwellinghouse (C3 use)**  
**At 1 Hawkhill Drive, Easingwold**  
**For Serco Limited**

**This application is referred to Planning Committee as the recommendation is contrary to policy**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The Hawkhill, which was originally a stately home, is just over 1.2km south of the Development Limits of Easingwold. The Hawkhill was a private house, until 1937 when it was acquired by the Ministry of Work. It is now home to the Emergency Planning College, as well as a conference and wedding venue. 1 Hawkhill Drive is currently occupied as a domestic property.
- 1.2 Hawkhill Drive is a cul-de-sac of five pairs of semi-detached properties, originally built in the 1950s. Each property consists of a kitchen and lounge diner to the ground floor, and two double bedrooms and bathroom on the first floor. The properties are 900m from the entrance to The Hawkhill estate, and the A19.
- 1.3 The site is not within a Conservation Area, or Flood Zone 2 or 3. The Hawkhill is not a listed building.
- 1.4 The application seeks permission for the retrospective change of use from office use to a domestic dwelling. An application for a lawful development certificate for an existing use as a dwellinghouse was withdrawn in April 2018 as the agent was advised that the property has only been in use as a dwelling since July 2015, therefore it has not been in use as a dwelling continuously for over four years as required Town and Country Planning Act 1990: Section 191 (as amended).
- 1.5 There are no proposed changes to the internal or external details.
- 1.6 Within Hawkhill Drive the lawful uses of the various properties are:
  - 1 Hawkhill Drive – B1 office use
  - 2 Hawkhill Drive – dwelling (07/01621/CLE Application for a certificate of lawfulness for existing use as a dwelling; approved 1<sup>st</sup> August 2007)
  - 3 Hawkhill Drive – dwelling (07/01821/CLE - Application for a certificate of lawfulness for existing use as a dwelling; approved September 2007)
  - 4 Hawkhill Drive – dwelling (17/02600/CLE - Certificate of Lawfulness (Existing) for use of the building as a dwelling; approved April 2018)
  - 5 Hawkhill Drive – dwelling (07/01823/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended to proposal for use as a house in multiple occupation; November 2007)
  - 6 Hawkhill Drive – dwelling in multiple occupation (07/01824/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended to proposal for use as a house in multiple occupation; approved November 2007)
  - 7 Hawkhill Drive – student residential accommodation (07/01825/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended

to proposal for use as a student accommodation ancillary to the adjacent Civil Emergency College; Approved November 2007)

- 8 Hawkhill Drive - student residential accommodation (07/01826/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended to proposal for use as a student accommodation ancillary to the adjacent Civil Emergency College; Approved November 2007)
- 9 Hawkhill Drive – student residential accommodation (07/01827/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended to proposal for use as a student accommodation ancillary to the adjacent Civil Emergency College)
- 10 Hawkhill Drive – student residential accommodation (07/01828/CLE - Application for a certificate of lawfulness for existing use as a dwelling amended to proposal for use as a student accommodation ancillary to the adjacent Civil Emergency College)

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 17/02599/CLE Application for Lawful Development Certificate for an existing use as a dwellinghouse (C3); withdrawn April 2018.

## **3.0 RELEVANT PLANNING POLICIES**

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP2 - Access  
Core Strategy Policy CP4 - Settlement hierarchy  
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets  
Development Policies DP1 - Protecting amenity  
Development Policies DP4 – Access for all  
Development Policies DP8 - Development Limits  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP28 - Conservation  
National Planning Policy Framework - published 27 March 2012  
National Planning Practice Guidance

## **4.0 CONSULTATIONS**

- 4.1 Easingwold Town Council – Awaiting response.
- 4.2 NYCC Highway Authority – No objection or recommended conditions.
- 4.3 Public comments – None received.

## **5.0 OBSERVATIONS**

- 5.1 The main issues to consider are: (i) the principle of development; and (ii) the impact on residential amenity; and (iii) the impact on the countryside.

### Principle

- 5.2 Hawkhill Drive is beyond any the Development Limits of Easingwold and therefore not in a sustainable location as defined by policy CP4. In view of Easingwold's status as a Service Centre, the Council's Interim Policy Guidance is not applicable. Development in this location would not be supported by DP8.
- 5.3 The National Planning Policy Framework (NPPF) states, in paragraph 55, "To promote sustainable development in rural areas, housing should be located where it

will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

- 5.4 Development outside the defined development limits can be supported in exceptional cases, where the scheme meets one or more of the six criteria set out in policy CP4.
- 5.5 The agent has put forward that the scheme complies with criterion iv of CP4, in that it would re-use existing buildings without substantial alteration or reconstruction; and it would help meet a locally identified need for affordable housing.
- 5.6 It is agreed that the proposal complies with the first element of criterion iv, however, the house is not offered for rent or sale through a registered housing association and so there is no formal compliance with this element of the criteria. The dwelling is a two-bedroom house which is most needed within the district so does make a contribution to that market, albeit, small.
- 5.7 The property is already occupied and therefore is providing a home. Whilst it is acknowledged that the proposal does not fully comply with the exceptional circumstances set out, it would be unreasonable to refuse permission based on the facts that the dwelling was originally constructed as a dwelling; and every other property within the Hawkhills Drive cul-de-sac is of residential use; whether that is C3 or C4. It should be noted that C4 (small houses in multiple occupation) can be changed to C3 (dwellings) without seeking prior approval from the Local Planning Authority.
- 5.8 It should be noted that this is a two bedroom dwelling, the size which the district is in most demand of and whilst it is not within the development limits of Easingwold the town is 1.5km to the north and can be accessed via the A19 or using public footpaths across the fields. Within 1km of the property there is a bus stop where nine different bus routes stop, going north to Easingwold and beyond and south to York. Given this number of buses and choice of routes it is reasonable that occupiers would be able to use a bus to access employment in Easingwold or York, and schools in Easingwold. It is considered that a dwelling here would be a suitable and appropriate use.

#### Residential amenity

- 5.9 As stated above, the property is currently occupied as a dwelling. There are no proposed changes or extensions proposed to the property. There is ample parking available, with designated bays adjacent to the property.
- 5.10 It is considered that there would be no impact on neighbour amenity as a result of the proposed change of use.

#### Countryside

- 5.11 Given the property's location and the fact that no physical changes are proposed, it is considered that there would be no visual impact on wider countryside as a result of the change of use.

## **6.0 RECOMMENDATION**

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
  - 1. The development hereby permitted shall be begun within three years of the date of this permission.

2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered proposed plans; received by Hambleton District Council on 30<sup>th</sup> April 2018; unless otherwise approved in writing by the Local Planning Authority.

The reasons are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Development Plan Policies DP1 and DP32.