

Parish: Hustwaite
Ward: Raskelf and White Hose
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Committee date: 20 September 2018
Officer dealing: Mrs C Strudwick
Target date: 28 September 2018

18/01273/FUL

**Change of use from a holiday cottage to a dwelling and single storey front extension
At The Annex, Highthorne Farm, Highthorne Lane, Hustwaite
For Mr Robin Houlston**

This application is referred to Planning Committee at the request of a Member of the Council.

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 Highthorne Farm is to the south of Hustwaite village, outside the Hustwaite Development Limits and Conservation Area. Within the complex is Highthorne, a grade II listed building; this property is not within the ownership of the applicant and Highthorne Farm which consists of a farmhouse, two holiday cottages and an array of equestrian buildings, including a ménage.
- 1.2 The farm is elevated above Highthorne Lane, surrounded by agricultural land.
- 1.3 This application relates to a building north west of the farm house. The building was formerly used as a granary, it was granted permission in 2012 for a change of use to a holiday cottage, without any extensions to the building.
- 1.4 This application seeks permission for a change of use of the holiday cottage to an independent dwelling. The applicant's son currently lives in the application property and had previously lived in a dwelling within the farm complex. The creation of that dwelling was permitted development under the "prior notification" procedure but it is now being marketed as a holiday cottage. The applicant's son moved into the application property as it is larger, better meeting his needs.
- 1.5 During the course of the application it was noted that a single storey, monopitch extension has been added at some point after July 2015. This unauthorised 8.95m x 3.2m extension has been added to the details of the application for consideration.
- 1.6 This front single storey extension consists of a lounge, domestic office/study and utility room and increases the floor area by about one third. Finished in brick and red clay pantile, with two roof lights to the mono roof slope.
- 1.7 The site is about 650m west from the boundary of the Howardian Hills AONB.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/02787/FUL - Alterations to agricultural building to form two holiday cottages; Granted 26 March 2012
- 2.2 12/00970/FUL - Revised application for alterations to agricultural building to form a holiday cottage; Granted 3 July 2012.
- 2.3 15/01049/MBN - Prior notification for change of use of agricultural building to one dwelling and associated operational development; Granted 20 July 2015

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Core Strategy Policy CP2 - Access
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP15 - Rural Regeneration
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 - Promoting high quality design
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
National Planning Policy Framework July 2018

4.0 CONSULTATIONS

4.1 Parish Council – wishes to see the application approved for the following reasons:

- To support housing that meets the needs of all sections of the local community, promotes sustainable communities and social cohesion and supports the local economy;
- To provide affordable housing for people who have a local connection and, by reason of personal circumstances and employment, are in need of local housing;
- To support small businesses to strengthen the rural economy and minimise unsustainable travel patterns;
- To support the conversion and re-use of existing rural buildings to promote rural employment and sustain rural communities; and
- To support local families, encouraging them to continue to live and work in the area to create a prosperous rural economy.

4.2 Public comments – None received.

5.0 OBSERVATIONS

5.1 The main issues to consider are: (i) the principle of development; (ii) the scale and design of the front extension; (iii) the impact on the countryside; and (iv) highway safety.

5.2 Due to the location of the proposal there would be no opportunity of overlooking, or for the loss of privacy or residential amenity to neighbouring properties.

Principle

5.3 Planning permission was originally granted for the holiday accommodation as it was considered to be an acceptable commercial use in the countryside in a location where dwellings would not normally be acceptable. The development was in accordance with adopted policies at that time and an appropriate condition was imposed ensuring the accommodation was occupied as approved.

5.4 The loss of the tourism business needs to be considered. The NPPF is supportive of rural tourism that contributes to a prosperous rural economy. Furthermore, Policy DP25 supports the conversion of existing rural buildings for employment uses, which includes tourism. Whilst there are no specific policies in the Development Plan or the

NPFF which restricts the loss of tourist facilities, DP17 offers protection for employment uses and as such the loss of the business use needs to be considered.

- 5.5 The farm has another holiday cottage, known as "The Hayloft" which is marketed on the internet. This property can be used as an independent dwelling, and has been in the past, as it benefitted from conversion from an agricultural building to a dwelling through the prior notification scheme. The property has an open plan kitchen/dining/living room, separate single bedroom, and bathroom. There is a double bedroom on a mezzanine bedroom about the main living space. This is where the applicant's son lived previously but now considers this unit too small, and wishes to live in the bigger unit; the application property. The application property consists of a larger open plan kitchen/dining/living room on the ground floor plus the front extension which provides a separate lounge, domestic office/study and a utility room. To the first floor are two double bedrooms. The application property does offer a more practically sized family home than the modest Hayloft which is more suited to short holiday stays.
- 5.6 Highthorne Farm is in an unsustainable location for a new dwelling, at over 800 metres to the centre of Husthwaite the nearest village via the road. There are public rights of way across the fields which would reduce this distance to approximately 700m but this is via an unlit and unsurfaced right of way, which would not be an attractive option in dark, wet winter months which would mean that there would be a high reliance on private transport. Husthwaite village has a pub, the Plum and Partridge, a primary school, a village hall which hosts quite a wide array of events, including a quarterly market and a film club.
- 5.7 By the applicant's own admission the principle of development does not comply with any of the six exceptional cases which allows for development in the countryside, as set out in CP4. The farm does not function as a viable agricultural unit, but is operated as a small holding with no requirement for additional agricultural workers to live on site. It is acknowledged that there is equestrian business on site, but the existing farm house provides a dwelling on site which provides accommodation within sight and sound of the stables. The change of use of this building will not secure a significant improvement to the environment or to the conservation of a feature of acknowledged importance.
- 5.8 No justification has been put forward by the applicant that this dwelling is required as a result of there being no opportunity for his son to live in Husthwaite or elsewhere close by. One route to achieve compliance the tests of CP4 criteria iii and iv would be to secured, by legal agreement, that once there was no longer a need by the applicant's son to live in the dwelling that it would be leased to a registered social housing association as part of their housing stock to help meet locally identified need for affordable housing. This has not been pursued with the applicant as an alternative approach has been put forward to 'swap' the holiday use restriction. In conclusion on the matter of the principle of allowing an additional independent dwelling in this location the proposal does not comply with policy CP4 of the Hambleton Local Development Framework.
- 5.9 The applicant has suggested that the use of the properties are simply swapped, so that The Hayloft, which is authorised to be used as a permanent dwelling, has this allowance removed via condition and can only be used as a holiday cottage. The applicant has agreed in writing that he is agreeable to this conditioning. The application property is then allowed to be used as a permanent dwelling, permitted through this application. This would not increase the number of dwellings on site, or intensify the use of the site.

- 5.10 There would be no change to the support the two properties make to the social and economic regeneration of rural areas. The two properties will continue to function as one holiday cottage and one permanent dwelling, albeit, the opposite way round to currently permitted.

Scale and design

- 5.11 The front extension is subservient to the existing building, and is finished in an accepted brick and pantile. The windows are timber to match the existing window frames.
- 5.12 The rear of the property has a very similar scale lean-to extension, which the newer extension mirrors the rear elevation, in form.
- 5.13 The size, scale and design is in keeping with the existing former granary, and visually, is considered acceptable.

Impact on the countryside

- 5.14 The front extension is not visible from Husthwaite Lane. There are no public rights of way which allow views of the extension; therefore it is considered that the extension has no impact on the visual amenity of the countryside.

Highway safety

- 5.15 It is not expected that the change of use of a holiday cottage to an independent dwelling would give rise to any change of vehicle movements. There is no proposed change to the current access point or drive way. It is considered that the proposal is acceptable in terms of highway and access arrangements.

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 proposed floor plans and elevations; received by Hambleton District Council on 29th August 2018; unless otherwise approved in writing by the Local Planning Authority.
3. The property known as "The Hayloft", as shown on the location plan shall only be used as holiday accommodation in association to Highthorne Farm, Husthwaite and must comply with the following requirements that: (i) the property is occupied for the holiday purposes only; (ii) the property shall not be occupied as a person's sole, or main place of residence; and (iii) the owners shall maintain an up-to-date register of the names of all visitors to the property, and of their main home addresses and shall make the information on the register available at all reasonable times to the Local Planning Authority.

The reasons are:

1. To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by 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 CP17 and DP32.
3. To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy without undue demands on local schools, social and health services etc., and in accordance with the objectives of the Hambleton Local Development Framework Policies CP15 and DP25.