

Parish: Knayton with Brawith
Ward: Bagby & Thorntons
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Committee Date : 30 May 2019
Officer dealing : Miss Ruth Hindmarch
Target Date: 4th June 2019

18/02676/FUL

Construction of one dwelling and conversion of former agricultural buildings to form three dwellings

**At Southfields, Fanny Lane, Knayton
For Mr R Pearson and Mrs V Dickinson**

This application is referred to Planning Committee as the application is a departure from the Development Plan.

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site is located to the south and west of Southfields, Knayton and to the west of the highway that runs north-south through the village. The site was previously associated with Southfields and was once actively used for agricultural purposes. The site comprises two buildings, one of which is a two storey building and the other is a single storey 'C' shaped building. The site is bounded on either side by residential properties, to the west the site slopes and beyond the site is grass land is the A19.
- 1.2 The site is located within the Knayton Conservation Area and partly within the Development Limits of Knayton. The neighbouring property of Southfields is a grade II listed building, as is the adjoining property of Penhill House.
- 1.3 Full planning permission is sought for the development of four dwellings. One would be a new detached property to the south of Southfields, which is within the Development Limits of the village. The existing access track would serve as vehicular access to the rear of the this proposed dwelling and would also serve the remaining three proposed dwellings, one of which would be within the existing two-storey building on the site (Barn A) and the other two dwellings would be formed within the existing 'C' shaped building (Barn B). Each dwelling would provide two bedroomed accommodation. There would also be a car port to the rear of the site, along the southern boundary providing some parking for the converted barns.
- 1.4 Amended details have been secured as follows: removal of an additional access for the proposed detached dwelling; removal of hardstanding to the front of the proposed dwelling and additional planting to the front of the site.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 2/79/088/0050 - Outline application for the construction of a dwelling; Granted 28 February 1980.
- 2.2 2/82/088/0050A - Renewal of outline consent for the construction of a dwelling; Granted 25 May 1983.
- 2.3 2/86/088/0050B - Renewal of outline consent for the construction of a dwelling; Granted 18 February 1986.
- 2.4 2/02/088/0144 - Alterations to outbuildings for use as two dwellings; Refused 16 July 2002; Appeal Dismissed 20 January 2003.

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 CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP17 – Promoting high quality design
Core Strategy Policy CP19 - Recreational facilities and amenity open space
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 DP28 - Conservation
Development Policies DP32 - General design
Interim Policy Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Knayton cum Brawith Parish Council – Wishes to see the application approved.
- 4.2 Highway Authority – No objection subject to conditions including visibility splays, parking provision and construction standards.
- 4.3 Yorkshire Water – Conditions are required to confirm details of foul sewage disposal.
- 4.4 Environmental Health Officer – With reference to the Noise report submitted with the application finds that acceptable internal noise levels can be achieved with the provision of the stated specifications of double glazing and ventilation with windows closed. Mechanical ventilation is to be provided to achieve adequate air changes without the opening of windows. External noise levels are above the upper guideline, the report recommended a barrier fence of 1.8m high to the western boundary of the site to achieve a reduction in noise levels. The EHO recommends that conditions are imposed to require levels of noise to not exceed daytime and night-time limits and so to protect the amenity of the occupiers of the dwellings.
- 4.5 Public comments – One objection was received stating the addition of four dwellings will cause disruption, not just during construction through additional traffic and construction vehicles but will also spoil the village.

5.0 ANALYSIS

- 5.1 The main issues to consider are (i) the principle of development at this location; (ii) the impact of the proposal on heritage assets; (iii) scale, built form and impact on the countryside; (iv) highway and access issues; (v) impact on residential amenity, including the living conditions of the occupiers of the proposed properties; and (vi) flood risk and drainage.

Principle of development

- 5.2 Given the site's location being partially inside and partially outside the Development Limits of the village it is considered appropriate to consider the principle of the proposed dwelling and the conversion of the barns separately. The proposed new dwelling is located within the Development Limits of the village and Knayton is classed as a Secondary Village in Settlement Hierarchy and is therefore considered a sustainable location for development. Given the above, the proposed new dwelling is

considered acceptable in principle subject to other material considerations which will be considered below.

- 5.3 The first approach to the conversion of barns A and B is via policy CP4 of the Hambleton Local Development Framework. Policy CP4 directly governs the location and type of development that is allowed inside and outside of Development Limits.
- 5.4 Outside Development Limits policy CP4 states that development will only be supported when an exceptional case can be made for the proposal in terms of policies CP1 (sustainable development) and CP2 (minimising the need to travel), and where among other things: it is necessary to secure the conservation of a feature of acknowledged importance. The heritage statement by ELG Heritage details the consideration that the buildings proposed for conversion are worthy of being classified as non-designated heritage assets. An assessment against the Council's adopted criteria has been made within the heritage statement, which states the barns meet four of the criteria used to assess non-designated heritage assets; age, representativeness, aesthetic value/appeal and group value. Officers agree with the assessment of the buildings and therefore consider them to be non-designated heritage assets.
- 5.5 The buildings are unsuitable for modern farming practice due to their shape and scale in relation to modern farming machinery requirements and the buildings are also not part of an existing farmstead. A suitable alternate use is sought to ensure their viable retention. Under policy CP4 exceptions are made for residential development where the works are necessary to secure a significant improvement to the conservation of a feature of acknowledged importance. The planning statement considers the buildings have no current, viable use and the costs involved in the maintenance and repair of the group is such that a new use must be found. The retention of identified features will help maintain their historic character and legibility. The planning statement considers the proposed works have been informed through careful analysis of the significance of the heritage assets and have been designed to have minimal impact upon their special character.
- 5.6 Given the above, it is considered the works would satisfy the criterion of policy CP4 and safeguard the features of acknowledged importance in being considered as non-designated heritage assets. Whilst this does not remove the option to consider the structures under the Council's Interim Policy Guidance (IPG) it does reinforce the sustainability benefits that the re-use of the buildings would have, and the policy support which is provided to the development.
- 5.7 An alternative assessment of the proposal can be made through applying the Interim Policy Guidance. The IPG states that the Council will support small-scale housing development in villages where it contributes towards achieving sustainable development by maintaining or enhancing the vitality of the local community and where it meets all of the following criteria:
 1. Development should be located where it will support local services including services in a village nearby.
 2. Development must be small in scale, reflecting the existing built form and character of the village.
 3. Development must not have a detrimental impact on the natural, built and historic environment.
 4. Development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
 5. Development must be capable of being accommodated within the capacity of existing or planned infrastructure.

6. Development must conform with all other relevant LDF policies.

- 5.8 In the settlement hierarchy contained within the IPG, Knayton is defined as a Secondary Village and therefore is considered a sustainable location for development; satisfying criterion 1 of the IPG that proposed development must provide support to local services including services in a village or villages nearby. It is considered that criterion 1 of the IPG would be satisfied and the principle of development would be acceptable. The other criteria will be considered as part of the analysis within this report.

Heritage assets

- 5.9 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving any listed building affected by the proposal or its setting or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires the Council to have special regard to the desirability of preserving or enhancing the character or appearance of the Conservation Area.
- 5.10 The NPPF at paragraph 190 requires the Local Planning Authority to identify and assess the particular significance of any heritage asset that may be affected by a proposal. The Conservation Area has an aesthetic value in the form of stone built, low height cottages which line either side of the street, there are also limited green gaps in the street scene. The provision of a new dwelling on this site will be a visible addition to the Knayton Conservation Area and will result in the loss of a green 'gap' site. The proposal would infill a gap site within the street scene however as demonstrated in heritage statement the site is overgrown and does not contribute to the street scene character. The size of the existing gap is also larger than others identified within the street scene and there will remain a gap between Southfields and the new dwelling which is of a size more in character with the wider Conservation Area.
- 5.11 In terms of the visual impact of the dwelling, it is lower than Southfields but higher than Gordon House and will provide a step down between the two existing properties. The dwelling will bridge the gap between the two existing properties.
- 5.12 The proposal requires the line of the existing wall to be altered to allow for visibility splays. The works proposed are considered to be minor and will allow for repair of the wall which is considered to be an important feature within the street scene. The original scheme proposed a separate access for the new dwelling which would have removed part of the wall, this was not considered to be acceptable as it would have caused harm to the character and appearance of the Conservation Area as the wall is an important characteristic and an amended scheme was submitted and the wall will remain for the whole width of the site.
- 5.13 A further consideration is the loss of the existing trees on the site. These will be replaced with a new dwelling. The original scheme proposed limited replacement planting and also incorporated a high level of hardstanding to the front of the dwelling. This would have had an unacceptable impact given the existing green nature of this part of the site. The development now proposes more replacement landscaping and the hardstanding is to the rear of the dwelling and not therefore a visible feature within the street scene. The revised layout is considered appropriate to the setting.
- 5.14 Given the status of the barns to the rear it is also important to consider the impact on views through to these barns. The heritage statement shows that views through will

remain between the new dwelling and Southfields and may open up new views through to the east elevation of the two-storey barn.

- 5.15 In terms of the impact on the listed building that adjoins the site (Southfields) it is considered the spacing between the two dwellings and the design that reflects those in the street scene together with a lower height will ensure the dwelling will not detract from the setting of the listed building.
- 5.16 Overall, it is considered the proposal as a whole would not cause harm to heritage assets. Furthermore, the public benefits of providing new housing in a sustainable location such as this include economic benefits both during construction and subsequently through having additional households in the village accessing businesses and services in the district. In addition there is a social contribution to village life of additional habitants. The conversion of the buildings will also provide three two bedroom properties which is in accordance with the identified for smaller homes within the district.
- 5.17 In terms of the impact on the non-designated heritage assets, the conversions would ensure their repair and subsequent retention. The barns have previously been used for agriculture and whilst are of limited architectural value they do have a characteristic rural charm. The proposed conversion of Barn A does not involve any extension to the building and it is considered the works would preserve its character and interest. The proposed works to Barn B would retain elements such as a wall nib and piggery arch which contribute to its historical value and would introduce minimal openings. It is considered the work will ensure the retention of these buildings.

Scale, built form and impact on the open countryside

- 5.18 Given the siting of the proposed new dwelling and as the barns although set back are adjacent to the existing built form of the village it is considered the proposals would not undermine the existing built form of the village. The scale of the proposals is acceptable considering the rural village location and given the barns are existing and the only addition to the rear of the site is the car port it is considered there would not be a significant detrimental impact on the open countryside and the works are considered appropriate in these terms.

Highway and access issues

- 5.19 As stated above the proposals would utilise the existing access to the barns; however some work would be required to slightly set back about a 4m length of the existing boundary wall to both the north and south side of the entrance to provide satisfactory visibility splays. It is considered the proposal includes sufficient parking and turning areas. The Highway Authority has raised no objection subject to conditions.

Residential Amenity

- 5.20 In terms of the impacts on surrounding neighbouring properties it is considered those most affected would be the occupants of Southfields and Gordon House. Given the scale and siting of the single storey barn it is considered its use for residential purposes would not significantly impact on the amenity of Southfields. Furthermore, given the siting of the two storey barn and the positioning of the habitable room windows, it is considered the impact from this dwelling would not be significant. The new dwelling would be to the side of the property, there would be some openings in the side facing Southfields however these would serve a bathroom and utility area as well as a secondary dining room window. The side gable of Southfields is blank and it is considered the proposed openings would not have a significant impact on the privacy of the occupants of Southfields. It is also considered that given the siting of

the new dwelling there would be no significant impact in terms of overshadowing or appearing overbearing.

- 5.21 With respect to the occupiers of Gordon House, this property is located along the southern boundary with the site, it does not contain any main habitable rooms windows along the boundary. Barn B is set well away from the boundary, Barn A is closer but is still set back. The main potential impact relates to the introduction of residential use in the buildings, whilst this would increase activity at the site it is not considered this will be unacceptable. There is a first floor bedroom window on the south gable of Barn A that would face south towards the rear part of Gordon House, however this would face a rear extension of Gordon House that does not contain windows. With regard to the new dwelling, it is considered the siting of this would ensure there is no significant overshadowing or overbearing impact. The windows within the side of the new dwelling would be approximately 13m from the boundary and as stated above there are no windows within the side of Gordon House that the proposal would directly face.
- 5.22 The property to the north and adjoining Southfields is Penhill House. This property would be largely unaffected as there are no windows proposed within the rear of Barn B, there would be roof lights however these would be of a sufficient height to ensure there is no significant overlooking impact.
- 5.23 It is considered the proposal, whilst increasing activity at the site, would not detrimentally affect the amenity of surrounding occupiers and are acceptable in this respect.
- 5.24 In terms of the amenity of the occupants of the proposed dwellings themselves, they all meet (and exceed) Nationally Described Space Standards and all dwellings would have a sufficient level of amenity space. The relationship between the four new dwellings is considered to be acceptable in terms of the potential for overlooking, appearing overbearing and overshadowing.
- 5.25 The Environmental Health Officer initially raised concerns regarding the proximity of the site to the A19 and the potential for noise from traffic. An acoustic assessment has been submitted to identify how the site is affected by road traffic in order to determine the suitability of the site for the proposed development. The report identifies that acceptable internal noise levels can be achieved with the provision of double glazing and ventilation with windows closed. Mechanical ventilation is to be provided to achieve adequate air changes without the opening of windows.
- 5.26 With regard to external noise levels, these are above 55dB(A) which is the upper guideline for noisier environments. The report recommends a barrier fence of 1.8m to the western boundary of the proposed site to achieve a reduction in noise levels. The fence would have to be of a suitable specification.
- 5.27 The Environmental Health Officer recommends the above matters are conditioned if planning permission is granted to protect the amenity of the proposed occupiers. A suitable condition will be added.
- 5.28 It is acknowledged that acoustic fencing can have significant visual impact, which is particularly important in relation to this site however given the recommendation is for a 1.8m high fence which is commonly seen in residential areas and as the final details are to be submitted the visual appearance of the fencing can also be suitably controlled and with additional landscape planting the fencing would not be harmful to the visual amenity of the location.

Flood Risk and Drainage

- 5.29 The proposed development is in an area of low flood risk as assessed by the Environment Agency (Flood Zone 1) and there is no susceptibility to surface water flood risk as assessed by the Environment Agency.
- 5.30 The applicant has stated that they would use a sustainable drainage system for surface water disposal. The design of the surface water system can be conditioned so design and layout is approved prior to work commencing on site. The applicant would have to provide details of future maintenance arrangements for the lifetime of the development and include design measures to ensure that flood risk is not increased elsewhere.
- 5.31 In terms of foul water the applicant has indicated they would use a package treatment plant and the mains sewer. Yorkshire Water has raised no objection to this and is under a duty to provide a satisfactory means of disposal of domestic foul sewage. Yorkshire Water has not indicated insufficient capacity of the foul public sewerage system but requests details relating to final details be submitted relating to both aspects of drainage.

Ecology

- 5.32 The application has been accompanied by a bat, breeding bird and barn owl survey. A building inspection and subsequent emergence survey have been carried out. The report states that no bat roosts were revealed and the proposed work is therefore unlikely to impact on bats. Evidence was found of nesting swallows was found inside the buildings and dense ivy growing up one of the buildings provides suitable breeding bird habitat. It is recommended that any work is timed to avoid disturbance to nesting birds. It is also stated there will be no loss of barn owl habitat. It is considered appropriate to condition that works are carried out in accordance with the report recommendations.

Planning Balance

- 5.33 There is a supply for land for housing of more than eight years and no compelling case for additional homes to meet the requirement of the NPPF in this respect however the provision of additional dwellings is a social gain as it provides additional homes in a sustainable location. It would also result in some economic gain through the investment in the conversion and new building and through subsequent spending by residents.
- 5.34 As the proposal would result no harm to the Conservation Area. The retention of the barns which are considered a non-designated heritage asset would be secured through the proposed works and the provision of three small dwellings in accordance with the need of the district is welcomed.
- 5.35 It is considered the scheme contributes to the aims of the NPPF of sustainable development and meets the requirements of the LDF Policy and the Interim Policy Guidance and can be recommended for approval.

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 drawing(s) numbered 3824-PD-00B, 3824-PD-09B, 3824-PD-10C,

3824-PD-12C, 3824-PD-11B, 3824-PD-16B, 3824-PD-08C, 3824-PD-07B received by Hambleton District Council on 14 December 2018 and drawing(s) numbered 3824-PD-15B and 3824-PD-14F received by Hambleton District Council on 14 March 2019 unless otherwise agreed in writing by the Local Planning Authority.

3. No development shall commence on the conversion of the outbuildings and no above ground construction work shall be undertaken in relation to the new dwelling until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. No works to the front boundary wall shall commence until a schedule has been agreed with the Local Planning Authority of the materials which are worthy of re-use in the re-construction of the wall and any additional materials required to replace any failed bricks. The wall shall be carefully taken down or dismantled and the materials contained in the schedule shall be re-used in the construction of the wall, as well as the mortar.
5. The site shall be developed with separate systems of drainage for foul and surface water on and off site.
6. No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewerage , for surface water have been completed in accordance with details submitted to and approved by the Local Planning Authority
7. The internal noise levels within habitable rooms of the dwellings hereby approved (with windows shut and alternative ventilation provided and in use) shall be protected to ensure that:

DAY TIME - Internal habitable rooms; 30dB LAeq 16 hours 07:00-23:00
NIGHT TIME - Internal bedrooms; 30dB LAeq 8hr 23:00 - 07:00 and 45LA max 23:00 - 07:00
DAY TIME - external use of main recreational areas and gardens = 50LAeq 16hrs 07:00 - 23:00.
8. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority. The works shall be implemented in accordance with the approved details and programme.
9. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:
 - a. The existing access shall be improved by extending the extent of dropped kerbs to the south of the access by 1no. dropped kerb unit as per standard detail number E6.
 - b. The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway

10. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 43.00m measured along both channel lines of the major road Fanny Lane from a point measured 2.00m down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.60m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
11. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas:
 - a. have been constructed in accordance with the submitted drawing (Reference 3824-PD-15 G)
 - b. are available for use unless otherwise approved in writing by the Local Planning Authority.

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times
12. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority agrees in writing to their withdrawal
13. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - a. parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
 - c.The approved areas shall be kept available for their intended use at all times that construction works are in operation.
14. The development hereby approved shall be carried out in accordance with the MAB Environment & Ecology Ltd, Bat, Breeding Bird and Barn Owl Survey Report dated September 2018 unless otherwise agreed in writing by 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 CP1, CP2, CP4, CP16, CP17 and CP21.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole.

4. In the interest of maintaining the character of the area and conservation of existing wall materials in accordance with the Hambleton Local Development Framework policy CP28.
5. In the interest of satisfactory and sustainable drainage
6. To ensure that the site is properly drained and in order to prevent overloading , surface water is not discharged to the foul sewer network
7. To protect the amenity of the occupiers of the dwellings
8. In the interests of highway safety
9. In the interest of highway safety
10. In the interest of highway safety
11. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development
12. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
13. To provide for appropriate vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
14. To ensure the development does not impact on protected species in accordance with policy DP31