

Parish: South Otterington

Ward: Morton on Swale

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Committee date: 17 October 2019

Officer dealing: Craig Allison

Target date:

19/00771/FUL

Proposed change of use of stables to holiday accommodation & coffee shop, and new vehicular access.

At Stables at Newsham Grange, South Otterington

For Mrs Karen Johnstone

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is a former stable buildings which are within the curtilage of Newsham Grange which is a Grade II Listed Building. These stables form one side of the courtyard. To the north and west of the courtyard is a holiday let conversion of additional former stables and to the south is the Granary which has been previously converted into a dwelling at first floor level with an under-croft.
- 1.2 The main house is situated to the west of the courtyard which is behind the existing holiday let conversion and is also owned and occupied by the applicant.
- 1.3 The stable are a collection of three connected volumes, varying in roof height and footprint. The second stable at the east end are the most generous foot print and benefit from exposed queen post trusses. The next stable steps down in height with the end stable being the most modest in scale and having the lowest roof height.
- 1.4 All stables are constructed from red clay facing brickwork although brick sizes do vary, suggesting the stables were built at different times. All roofs are finished in red clay pantiles.
- 1.5 Door openings have been fitted with relatively modern timber stable doors, and galvanised ironmongery. Rainwater goods are black plastic circular downpipes and half round guttering.
- 1.6 The applicant is seeking planning permission for the conversion of seven former stables into two holiday apartments and a coffee shop with kitchen, servery, gift shop and disabled toilet facilities. Also within this application permission is also sought for a new vehicular access to the field in the south east corner of the site.
- 1.7 Additional information has been sought with regard to the justification for the proposed development which has been set out in a brief business plan for the site. This sees the holiday accommodation as the principle focus for the site, supported and complimented by the café and shop use.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/00397/FUL - Proposed change of use of existing offices & stable to holiday cottages - Approved 20 April 2011

11/00398/LBC - Application for Listed Building Consent for change of use of existing offices & stable to holiday cottages - Approved 20 April 2011

12/00409/FUL - Formation of a new vehicular access - Approved 19 April 2012

15/00440/FUL - Formation of vehicular access - Approved 7 May 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
Development Policies DP1 - Protecting amenity
Development Policies DP9 - Development outside Development Limits
Development Policies DP28 - Conservation
Development Policies DP31 - Protecting natural resources: biodiversity/nature conservation
Development Policies DP32 - General design
Development Policies DP25 - Rural employment
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 No comments received from South Otterington Parish Council
- 4.2 Environmental Health - has considered the application and believe there would be no impact on neighbouring amenity and raise no objection to the proposal.
- 4.3 North Yorkshire County Council (Highways) have commented stating that the design standard for the site is the Design Manual for Roads and Bridges, and the required visibility splay is 215 metres by 2.4 metres. The applicant has provided further written information as well as a revised plan showing the full extents of the required visibility splay confirming that this is achievable at the location of the proposed new vehicular access to/from the site. The applicant has also confirmed that the new access will be used to serve the proposed development, and that the use of the existing access will not subject to any intensification. It is considered from a highway perspective acceptable to suitably worded conditions imposed.
- 4.4 No comments were received from Yorkshire Water Services
- 4.5 Welcome To Yorkshire Tourism Board – No comments received.
- 4.6 A site notice was posted and neighbours were consulted and no letters of objection or support has been received in regard to the application.

5.0 OBSERVATIONS

- 5.1 The main issues to consider in the determination of this application are: i) the principle of development of converting the existing stable buildings to holiday apartments and the creation of a coffee shop; ii) the impact of the development on the significance of the listed building; iii) the impact on neighbouring residential amenity; and iv) highway impacts.

Principle of Development

- 5.2 Policy CP1 of the Core Strategy states development that would significantly harm the natural or built environment or that would generate an adverse traffic impact will not be permitted. Proposals would be supported if they promote and encourage sustainable development. In determining applications decisions should be taken in accordance with the development plan unless there are material considerations that indicate otherwise.

- 5.3 The importance of following sustainable development objectives in the provision of holiday accommodation is reiterated in the Good Practice Guide on Planning for Tourism.
- 5.4 The Good Practice Guide advises that new sites for tourist accommodation of the kind proposed will generally be more sustainable when located close to existing settlements and other services as some local services may be accessed by means other than the car. Policies CP1 and CP2 of the LDF require that development should be located to minimise the need to travel, including by car.
- 5.5 As the site is located within the countryside and outside of the settlement boundaries, Policies CP4 and DP9 are of relevance. Development within the countryside would be acceptable where it is necessary to meet the needs of farming, forestry, recreation, tourism and other enterprises with an essential requirement to locate in a smaller village or the countryside and will help to support a sustainable rural economy. In all cases, development should not conflict with the environmental protection and nature conservation policies of the LDF and should provide any necessary mitigating or compensatory measures to address harmful implications.
- 5.6 Policy CP15 also stated that support will be given to the social and economic needs of rural communities by encouraging diversification of the agricultural economy; and appropriate tourism related initiatives.
- 5.7 The application site is approximately 2 miles away from the nearest major settlement of Northallerton which has all the basic facilities available within the town centre. These facilities are accessible by either foot or cycling with a number of public footpaths and bridleways in the vicinity that lead directly into the countryside.
- 5.8 The proposed use of the converted stable building is to be holiday accommodation; this would help support the local economy. The accommodation would lie within walking and cycling distance of local amenities and would therefore be considered a sustainable form of accommodation that would help to support local businesses in the area and is in accordance with Policy CP4.
- 5.9 When considering if the café would be acceptable it is important to consider Policy CP15 of the Core Strategy which offers support to the social and economic needs of rural communities by encouraging appropriate tourism related initiatives, including schemes which improve the accessibility of tourist assets both within and outside the District. Further the policy also supports the re-use or replacement of suitable buildings for employment generating uses. This is further reiterated within Policy DP25 which states that employment development located outside of the development limits would supported if all of the following apply:
- It is small in scale
 - It comprises conversion and re-use or replacement of existing rural buildings of sound construction
 - The development is not capable of location within settlement limits
 - It is supported by an appropriate business case which demonstrates that support will be provided to the local economy
 - The development would not adversely impact on the economy of the service centres.
- 5.10 As part of the development, the café that would operate on the site would be of a small scale and is proposed to offer a casual dining and takeaway service all from locally sourced ingredients. The café will only employ three members of staff and will be low key. This would reuse an existing building and would help support the local economy and this is of sufficiently small scale it would not adversely impact on

the economy of the service centres. It is therefore considered that the creation of a café in one of the existing stable buildings is in accordance with Policy CP15 and DP25 of the adopted Local Plan.

Design

- 5.11 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is "To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character."
- 5.12 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.13 The National Planning Policy Framework supports this approach and, at paragraph 64, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. The Nearby building, Newsham Grange is a Listed Building and as such the impact on the significance of the listed structures must be considered in terms of the impact on the setting of the building.
- 5.14 On the external elevations it is proposed that all the existing stable doors will be retained and used as doors and windows for the proposed change of use. There is one additional window which is proposed on the south elevation, although this is a new feature which has been added to original fabric of the building it is on the same elevation as all the other openings and would not lead to an undue harm to the character of the building. Within the roof space, roof lights are to be added on the south elevation and north elevation however all these roof lights will be conservation style roof lights and will be in keeping with the character of the building.

Impact of development on setting of Grade II Listed Building

- 5.15 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historical interest which it possesses.
- 5.16 Section 16 of the NPPF provides the national policy on conserving and enhancing the historic environment. Paragraph 193 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.
- 5.17 Policy DP28 states that conservation of historic heritage will be ensured by preserving and enhancing listed buildings. Development within or affecting the feature or its setting should seek to preserve or enhance all aspects that contribute to its character and appearance. This is further reiterated within Policy CP16 which states that development or initiatives will be supported where they preserve and enhance the District's natural and man-made assets.
- 5.18 The proposals will introduce new activities into the site, including car parking. However, this is not considered to be harmful to the significance of the setting of the listed building.

- 5.19 It is therefore considered that the external changes to the building and new uses are in keeping with the character of the building and would cause no harm to the setting of the nearby Grade II listed Building of Newsham Grange, and is therefore in accordance with the overarching principles of the NPPF and Policies DP28 and CP16 of the Local Plan.

Impact on neighbouring residential amenity

- 5.20 Policy DP1 states that all development proposals must adequately protect amenity, particularly with regard to privacy, security, noise and disturbance, pollution (including light pollution), odours and daylight.
- 5.21 Environmental Health Services have considered the potential for the development to cause nuisance or negative impact on neighbouring residential amenity and is considered that the development will have no significant impact in these terms and the proposal is in accordance with Policy DP1. The creation of a café could cause some noise and disturbance but due to the small nature of the business it is considered that this would have no significant impact on neighbouring residential amenity and is in accordance with Policy DP1 of the adopted Local Plan.

Impact on Highway Safety

- 5.22 The proposed access has been granted planning permission twice in the past. However, the access has never been fully implemented. The proposed access is to the eastern corner of OS Field 7966 and to the south east of Newsham Grange, South Otterington. The proposed access will be used to access the current proposal and the current existing access will still be used to access Newsham Grange. This will include a 1.5 metre high timber post and rail fence and gates and would be set back from the main highway of the A167.
- 5.23 It is proposed to create a track across the field which will link up to the existing access to the north of the new access. This track will be positioned adjacent to the existing hedgerow. It is considered that the proposed access would have a minimal impact on the character of the area as it would be screened by the existing hedgerow and would have no further impact on the character of the area.
- 5.24 The proposed access would also involve the removal of a section of hedgerow which would break up the natural form of the line of hedgerows. However, the proposed access is situated in close proximity to an existing agricultural access. It is considered that the proposed access is in accordance with the Council's Local Plan Policies.
- 5.25 North Yorkshire County Council (Highways) has stated that the proposed access can be achieved with the required visibility and is therefore considered to be in accordance with the Design Manual for Roads and Bridges. Highways have recommended a number of conditions to be imposed to ensure that the access is built and maintained at the correct standard.
- 5.26 Further to this within the site, the owner is providing a car park which would be constructed out of crushed gravel which would create 11 car parking spaces for the café with an additional two for disabled parking. A further two spaces would be provided for the apartments, this would all be bound by a 1.5 metre high timber post and rail fence. Furthermore cycle parking is also provided within the site. It is considered that the parking should be sufficient for the small scale operation of the café and furthermore cycling is being encouraged which would encourage sustainable forms of development.

Structural Integrity of Building

- 5.27 When proposing to convert an existing building it is important to ensure that the building is capable of conversion without major alteration and re build of the structure. Part of the justification for the development is the fact that existing buildings are to be converted and re-used. However as part of the application, the applicant has provided a Structural Survey which has been carried out by an appropriate engineer, who stated the following:

"From our inspection there would not appear to be any visible signs of settlement to the property or signs of significant movement. Areas will require to be considered through the design process, including damp ingress, surface water drainage, the roof structure, thermal properties etc. There are minor areas that require re-pointed and restrained however these are local and not of a significant nature. Some movement has occurred within the North East corner of the abutting workshop and will need to re-tied with helical ties positioned within the bed joints. Through appropriate remedial works it is of our opinion that the buildings would be suitable for conversion"

- 5.28 Subject to some of the minor remedial works it is considered that the buildings are capable of conversion and would be suitable for the proposed use.

Ecology

- 5.29 As this was a conversion of a disused building it was appropriate that a Bat Survey was done on the building. An initial survey was done and it was evident that bats were roosting within the building. A further in depth survey has now been conducted by the ecologist who has provide recommendations as part of the construction process, it would be reasonable to ensure that appropriate conditions are imposed to ensure that the bats are protected and not harmed in any way.

Planning Balance

- 5.30 In conclusion the proposed development is considered to provide suitable holiday accommodation along with a small café and shop re-using existing buildings and contributing to the local economy. The proposed development is considered to be of a high quality design and will have no harmful impact on the setting of the nearby listed building.

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 development must comply with the following requirements that:

(i) the two apartments are occupied for the holiday purposes only;
(ii) the two apartments shall not be occupied as a person's sole, or main place of residence; (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/cabins/chalets on the site, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

3. Notwithstanding the provisions of any Town and Country Planning (Use Classes) Order and any Town and Country Planning General or Special Development Order for the time being in force relating to 'permitted development' the building(s) shall not

be used other than as: Cafe (Use Class A3) as defined in the Town and Country Planning (Use Classes) Order 2005.

4. No development shall take place until there has been submitted to and approved by the Local Planning Authority a wildlife management plan, to include as appropriate detailed proposals for the protection of bats and measures for the mitigation of any harm to them likely to be caused by the development. The works and other measures forming part of that plan shall be carried out in accordance with it.

5. 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.

6. 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:

(i) The details of the access shall have been approved in writing by the Local Planning Authority.

(ii) Any gates or barriers shall be erected a minimum distance of 14 metres back from the carriageway of the existing highway, and shall not be able to swing over the existing highway.

(iii) Provision to prevent surface water from the site/plot discharging onto the existing highway shall be constructed, and then maintained thereafter, in order to prevent such discharges.

(iv) The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing public highway. All works shall accord with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

7. 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 215 metres, measured along both channel lines of the major road - A167, from a point measured 2.4 metres down the centre line of the access road. The eye height shall be 1.05 metres, and the object height shall be 0.6 metres. Once created, these visibility areas shall be maintained clear of any obstruction, and retained for their intended purpose at all times.

8. 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.

9. The number of covers within the cafe shall not exceed 26 as shown on drawing 246/04.

10. Prior to the commencement of the development hereby approved a written statement of works and annotated plan shall be submitted to and approved in writing by the Local Planning Authority. The written statement shall identify the extent and sequence of works of conversion and the annotated plan shall show all areas of underpinning, demolition, re-facing, replacement and reconstruction of foundations, walls and roofs that are necessary to implement the details of drawing no 246/04 246/05 and 246/10 received by Hambleton District Council on 23 April 2019, 3 April 2019 and 3 April 2019. Thereafter the scheme shall be implemented in complete accordance with the approved statement and plan.

11. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, details and materials: Proposed Site Plan (Drawing Number: 246/13), Proposed New Access (Drawing Number: 246/15), OS Location Plan (Drawing Number: 246/01), Proposed Block Plan (Drawing Number: 246/15), Proposed Plans (Drawing Number: 246/05), Proposed Plans (Drawing Number: 246/06), Proposed Plans (Drawing Number: 246/08), Existing Section (Drawing Number: 246/03), Proposed Plans (Drawing Number: 246/07), Existing Plans (Drawing Number: 246/02), Proposed Plans (Drawing Number: 246/04), Proposed New Gates (Drawing Number: 246/16), Existing Elevations (Drawing Number: 246/09). Proposed Elevations (Drawing Number: 246/10) received by the Local Planning Authority on the 3 April 2019; Amended Highways Plan and Structural Survey received by the Local Planning Authority on the 12 July 2019; Amended track layout received by the Local Planning Authority on the 2 September 2019.

12. Prior to the commencement of development a list of goods to be sold from the shop shall be provided in writing to and agreed by the Local Planning Authority. The shop shall then only sell goods in accordance with the approved list.

The reasons for the above conditions 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. 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 District Wide Local Plan.
3. The Local Planning Authority would wish to carefully examine any alternative use of the building to assess whether the development would be acceptable in terms of policy, access and amenity in accordance with Hambleton District Wide Local Plan Policy CP4.
4. This is to ensure that no significant harm is caused to natural habitats in accordance with Policy DP31 of the adopted Local Plan
5. In accordance with Policy CP2 and in the interests of highway safety.
6. In accordance with Policy CP2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.
7. In accordance with Policy CP2 and in the interests of road safety

8. In accordance with Policy CP2 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
9. To ensure that the scale of the use does not exceed that set out in the application and that the level of parking available is commensurate with the approved use.
10. To ensure that the works are undertaken as a conversion in order to maintain their intrinsic qualities and in accordance with the objectives of the Hambleton Local Development Framework Policies CP1, CP4, CP16, CP17, DP28 and DP30.
11. To ensure that the development is satisfactory in accordance with Policy CP4, DP9, CP15, DP25 and DP28.
12. In order to ensure that the range of goods sold is appropriate to the proposed use of the site and will have no detrimental impact on nearby centres.