

Parish: Borrowby
Ward: Bagby & Thorntons
2

Committee Date : 21 July 2016
Officer dealing : Mrs B Robinson
Target Date: 4 July 2016
Date of extension of time (if agreed): 22 July 2016

16/00906/FUL

**Change of use of agricultural land and the siting of a log cabin and associated parking for holiday accommodation.
at Leake Greens Farm Long Lane Borrowby North Yorkshire
for Mr B Peacock.**

- 1.1 The site is a field corner approximately 50m east of existing farm buildings at Leake Green farm. The farm is located close to the northern outskirts of Borrowby. The site is accessed from the existing farm access from Long Lane, and is routed past the north of the existing farm buildings. The buildings are in use for livestock. The northern boundary to the field site is a wire fence. There is hedging to the rear (east) side of the existing buildings. There is a public right of way (bridleway) extending from Long Lane immediately to the north of the site entrance.
- 1.2 The proposal is to site a twin unit static caravan for holiday accommodation. The caravan is to be within an enclosure 24m x 16m, bounded by post and rail fences and including a parking space. The static caravan is a 'log cabin' type, with shallow pitched roof, small gable feature and timber clad exterior. The caravan concerned is currently located adjacent to the farm entrance, where a new house has been constructed.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 08/04770/APN Withdrawn 08.01.2009
- 2.2 09/00599/APN (Granted) 02.04.2009
- 2.3 10/00542/FUL Construction of an agricultural livestock building (number 1 - 36.6m x 12.2m) Granted 2010
- 2.4 10/00543/FUL Construction of an agricultural livestock building (number 2 - 36.6m x 12.2m) Granted 2010
- 2.5 10/00541/FUL - Alterations and extension to existing storage building to house calves and siting of a temporary agricultural workers dwelling. Granted 2010
- 2.6 12/01725/FUL - Retrospective revised application for a lean-to extension to existing livestock building for the housing of cattle and siting of a temporary agricultural dwelling. Granted 2012
- 2.7 12/01726/FUL - Retrospective application for the construction of an agricultural livestock building Granted 2012
- 2.8 13/01338/OUT - Outline application for the construction of an agricultural worker's dwelling as amended by Plan received by Hambleton District Council on 19 August 2013; Granted 2013.
- 2.9 14/01319/FUL - Construction of agricultural workers dwelling with integral garage. Granted 26.9.2014

3.0 RELEVANT PLANNING POLICIES:

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Development Policies DP30 - Protecting the character and appearance of the countryside
Core Strategy Policy CP15 - Rural Regeneration
Development Policies DP26 - Agricultural issues
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Council - Requirement to remove the temporary accommodation should be enforced. Use of the farm land for holiday cottage is wrong, and sets a precedent for more.
- 4.2 Neighbours and site notice - last expiry 15.06.2016. No observations received.
- 4.3 Natural England - No comments.
- 4.4 NYCC Highways - Conditions recommended
- 4.5 Sabic - 235 metres from major accident hazard pipeline. Sabic to be consulted about works within 50metres of major accident hazard pipeline

5.0 OBSERVATIONS

Policy principle

- 5.1 As a holiday let to support tourism, there is scope under the terms of criteria i) of CP4 to consider the proposal as an exception to the principles of CP1 and CP2. Other relevant policies to be considered will be CP15 and DP25 (rural employment), CP16 DP30 (character and appearance of the countryside), amenities of neighbouring occupiers (CP1 and DP1) and any highway safety issues.
- 5.2 In terms of CP4, the holiday use of a caravan in a rural location is considered to be a valid contribution to the available range of tourism accommodation, and the siting outside a sustainable settlement can be justified. The location is within easy reach of the recreational opportunities of the North York Moors National Park, service centres including Northallerton, and other local places of interest, including Thirsk. The site is close to a secondary village with facilities including a pub, and the proposed use can be considered to support village services. Overall therefore, the location is sufficiently sustainable to be an acceptable exception to the principles of CP1 and CP2.

Rural business and farm diversification

- 5.3 As a single unit, the proposal is small in scale, and as noted above is considered to contribute to the local economy and is acceptable under the terms of DP25. The applicants have submitted additional information showing that they intend to operate the holiday lettings themselves and family members have relevant experience in running guest accommodation. Enquires have been made of national and local letting agents, and support the view that there would be demand for a suitable unit in this location. These considerations suggest the proposal could be a viable farm diversification sustainable in the longer term, and able to support the existing agricultural enterprise, in accordance with DP26.

Impact on the rural surroundings

- 5.4 In terms of the impact on the rural surroundings, the proposed site is in close proximity to existing built development. The existing buildings, the local topography and existing hedging bounding the adjacent roads and tracks will screen the caravan from general public view and particularly noting its low profile and timber finish, it will not be an isolated or obtrusive feature harmful to the rural surroundings. There is scope to further ensure the protection of the character of the countryside by means of an appropriate landscaping condition.

Amenity

- 5.5 The site is sufficiently distant from neighbouring dwellings not to have a harmful effect on the amenities of residents.
- 5.6 In terms of the amenity of caravan users, the site is close to buildings in use for livestock. However, due to the nature of the relatively short term occupation of the premises for holiday purposes, harm to amenity in terms of smell or noise is self-limiting and the extent of harm would not justify refusal on this basis.

Highway safety

- 5.7 The highway safety aspects have been considered by the Highway Authority and no objection made, and on this basis the development is not considered harmful to road safety.

Other safety matters

- 5.8 The site is within the consultation zone for a major hazard pipeline but not within the inner zone and subject to the advice of the pipeline operators, does not represent a risk to safety.

Objections

- 5.9 The Parish Council objection to the proposal is related to the previous temporary consent for the unit as a temporary farm workers dwelling. Since a permanent dwelling has been constructed, it is open to the applicants to make alternative use of the caravan, subject to consideration of the relevant policies. If the application were to be refused, enforcement action to remove the caravan would need to be considered.
As a precedent for similar development, this would be an issue to be considered on its merits, as appropriate.

6.0 RECOMMENDATION:

- 6.1 That subject to any outstanding consultations the application be **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) and/or details received by Hambleton District Council on 19th April 2016 and 9 May 2016 unless otherwise agreed in writing by the Local Planning Authority.
 3. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which

within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.

4. Unless otherwise agreed in writing by the Local Planning Authority, boundary treatments shall be as set out on plan ref PEACOCK-HU-01 received by Hambleton District Council 19th April 2016.

5. No caravan shall be placed on the site unless it is clad in natural colour timber or as previously agreed in writing with 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 Policy(ies) CP16 and DP32.

3. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy CP16 and DP30.

4. To protect the character and appearance of its surroundings in accordance with Local Development Framework Policy Cp16 and DP30.

5. In the interests of the amenities of the rural surroundings, in accordance with Local Development Framework Policy CP16 and DP30.