

Parish: Snape with Thorp

Ward: Tanfield

14

Committee Date : 21 July 2016

Officer dealing : Mrs H M Laws

Target Date: 9 May 2016

Date of extension of time (if agreed): 29 July 2016

16/00491/MRC

Removal of Condition 17 attached to Application 05/01968/FUL (Alterations and extensions to existing agricultural buildings and dovecote to form 2 dwellings) to allow unrestricted occupancy of manager's dwelling (Snape Castle Mews) as amended by email and plan received by Hambleton District Council on 24 June and 1 July 2016. at Snape Castle Mews Snape North Yorkshire DL8 2TJ for Mr David Shipp.

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 Snape Castle Mews lies immediately to the east of Snape Castle (a Scheduled Ancient Monument and a Grade I listed building) on the northern side of the road leading into the village from the west. The site lies within the Snape Conservation Area.
- 1.2 Snape Castle Mews is part of a walled courtyard development comprising a main dwelling and three units of holiday accommodation. The main dwelling house is the subject of this application. The dwelling forms the heel of an L-shaped group of buildings, which include the three units of holiday accommodation which are not part of this application.
- 1.3 The site is accessed from the village road with parking and turning facilities provided within the courtyard.
- 1.4 A neighbouring property known as Snape Castle Barn lies to the east of the Mews, which is also excluded from the application site.
- 1.5 Planning permission was granted in January 2006 for alterations and extensions to existing agricultural buildings and dove cote to form 2 dwellings, 1 holiday unit, offices and storage. The application site included what are now known as Snape Castle Mews, Snape Castle Barn and the holiday units. Planning permission was granted subject to several conditions, one of which required the approved dwellings to be occupied by the owners or managers of the holiday units and commercial premises (now also holiday units).
- 1.6 A later revised planning application was submitted in respect of the dwelling and associated buildings at Snape Castle Barn, which was granted permission without a restrictive occupancy condition on the dwelling. Condition 17 of the 2006 permission (05/01968/FUL - paragraph 2.1 below) now relates only to the dwelling at Snape Castle Mews.
- 1.7 It is proposed to remove this condition to allow unrestricted occupancy of Snape Castle Mews, so that it does not need to be occupied by an owner or manager of the holiday units.

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 05/01968/FUL - Alterations and extensions to existing agricultural buildings and dove cote to form 2 dwellings, 1 holiday unit, offices and storage. Permission granted 16/1/2006 subject to the following condition:

17 - The buildings to be converted to residential use shall not be occupied at any time other than by the owners or persons having day to day management

responsibility for the attached holiday letting accommodation and commercial premises, or the dependants of such persons. The use of the premises for residential purposes shall, unless otherwise agreed in writing with the Local Planning Authority, cease at any time when the attached accommodation is not being offered, or available for use, for holiday letting and commercial purposes.

The reason for this condition: In order to ensure compliance with policy H27 of the Hambleton District-Wide Local Plan in respect of the conversion of agricultural buildings outside development limits.

- 2.2 06/02471/FUL (Snape Castle Barn only) - Revised application for alterations and extensions to existing agricultural building and dovecote to form 1 dwelling, 1 holiday unit, offices and storage. Permission granted 18/1/2007. A condition was not imposed to restrict the occupancy of Snape Castle Barn.

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
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
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP9 - Development outside Development Limits
Development Policies DP28 - Conservation
Development Policies DP32 - General design
Interim Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

- 4.1 Parish Council - no comments received (expiry date for consultations 7/7/2016).
- 4.2 Site notice/local residents - no comments received (expiry date for representations 7/7/2016)

5.0 OBSERVATIONS

- 5.1 The issues to be considered include the principle of creating a new unrestricted dwelling in this location and the potential impact on the amenity of residents of the development and neighbouring occupiers.
- 5.2 The proposed development does not include any alterations externally and therefore there would be no impact on the appearance of the existing building or the surrounding locality.
- 5.3 The variation of the planning condition would allow unrestricted occupancy of the dwelling, which lies outside the Development Limits of Snape. The original policy basis for this condition (Policy H27 of the District Wide Local Plan) no longer applies and the relevant policies for the determination of this application are now contained within the Local Development Framework as listed above at paragraph 3.
- 5.4 Snape is defined in Policy CP4 as a Service Village with existing facilities including a primary school, a pub, a shop and church, which add to the sustainability of the village. The Interim Planning Guidance (IPG) also defines Snape as a Service Village. Although the dwelling lies approximately 30m from the edge of the

Development Limit boundary there is a footway link into the village and it is considered that an additional dwelling would help to support local services and therefore satisfies criterion 1 of the IPG.

- 5.5 The proposed development complies with the remaining criteria of the IPG as the development already exists and would not adversely affect the character or appearance of the village or the surrounding countryside.
- 5.6 The dwelling lies within the shared courtyard with three holiday units and would therefore be in close proximity to holidaymakers, which may give rise to greater noise and disturbance. Although the courtyard is shared, each of the properties has a separate amenity area to the rear, which would provide a private area that would not be overlooked. There is adequate space for parking within the courtyard to reduce the potential for conflict. It is considered that the unrestricted occupancy of the dwelling would be in accordance with LDF Policy DP1.
- 5.7 The use as an unrestricted dwelling would not have any effect on highway matters.
- 5.8 The proposed variation of the condition is acceptable and approval of the application is recommended.

6.0 RECOMMENDATION

- 6.1 Subject to any outstanding consultations that the application be **GRANTED** subject to the following conditions:
1. All boundary walls, fences and other means of enclosure shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.
 2. Parking, manoeuvring and turning areas as shown on drawing 2140-6 Rev. A (05/01968/FUL) shall be maintained clear of any obstruction and retained for their intended uses at all times.
 3. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
 4. The occupation of the holiday letting accommodation hereby approved shall be restricted to holiday visitors only and no person or persons shall occupy the accommodation for more than eight weeks consecutively.
 5. The permission hereby granted shall not be undertaken other than in complete accordance with drawing number HDC/1280/01 received on 24 June 2016, unless otherwise agreed in writing by the Local Planning Authority.

The reasons for the above conditions are:-

1. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP1, CP16, DP1 and DP28.

2. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with LDF Policies CP1, CP16, DP1 and DP28.
3. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with LDF Policies CP16 and DP28.
4. The site has been granted permission for such purpose in view of the potential economic benefit to the local economy of its use for holiday letting purposes in accordance with LDF Policies CP1, CP2 and CP4.
5. 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 LDF Policies.