

Parish: Aiskew

Ward: Bedale

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Committee Date : 15 September 2016

Officer dealing : Mrs A Sunley

Target Date: 12 September 2016

Date of extension of time (if agreed):19 September 2016

16/01470/FUL

**Change of Use of Ancillary Accommodation to Separate Residential Dwelling unit
at 2 Aiskew Crossing, Bedale Road, Aiskew
for Mr & Mrs Curtis**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is a two storey semi-detached dwelling with a two storey annexe extension and a detached double garage. The dwelling is located north-east of Aiskew and is adjacent to the A684 and the Wensleydale railway crossing.
- 1.2 Planning permission was granted in 2011 (11/00860/FUL) for a two storey side extension to provide annexe accommodation to the existing house. A revised application was received in 2012 (12/00975/FUL) for the construction of a larger two-storey extension and a detached double garage. A planning condition (no.3) was added to both these planning permissions stating that the annexe shall not be occupied as a separate independent dwelling and shall remain ancillary to the use of the main dwelling known as 2 Aiskew Crossing, Bedale Road, Aiskew
- 1.3 This application seeks planning consent for the retrospective change of use of the ancillary accommodation to a separate residential dwelling unit

2.0 PLANNING & ENFORCEMENT HISTORY

- 2.1 11/00860/FUL: Proposed side extension to provide annexe accommodation to existing house as amended by details received by Hambleton District Council on 22 June 2011 - Permitted
- 2.2 12/00975/FUL: Proposed two storey side extension, to provide annexe accommodation to existing house - Permitted
- 2.3 13/00618/NMC: Proposed non material amendment - amended window and door position - to previously approved scheme (12/00975/FUL Proposed two storey to provide annexe accommodation to existing house - Permitted

3.0 NATIONAL AND LOCAL POLICY:

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

Development Policies DP1 – Protecting Amenity
Development Policies DP3 - Site accessibility
Development Policies DP9 - Development outside Development Limits
Interim Guidance Note - adopted by Council on 7th April 2015
Core Strategy Policy CP4 - Settlement hierarchy
Core Strategy Policy CP1 - Sustainable development

4.0 CONSULTATIONS

- 4.1 Site notice - No response, expiry date 3 August 2016
- 4.2 Highways – Response date 6 September 2016: The Local Highway Authority recommends a condition is attached to any permission granted.
- 4.3 Network rail - Response date 26 July 2016: Network Rail has no observations to make
- 4.4 RAF Linton - Response date 8 August 2016: MOD has no safeguarding objections to this proposal
- 4.5 Parish Council - Response date 21 July 2016 - The Council has no observations.
- 4.6 Wensleydale Railway - No response, expiry date 5 September 2016

5.0 OBSERVATIONS

- 5.1 The main planning issues raised by this application are the principle of permitting a change of use to form a new dwelling outside development limits and whether; i) the proposed change of use would have a detrimental impact on the existing dwelling or; ii) the residential amenities of nearby properties; and iii) highway safety.

Principle

- 5.2 The ancillary structure and dwelling is outside the development limits of Aiskew, which is a Service Centre with Bedale within the hierarchy set out in CP4 of the adopted Hambleton Local Development Framework. Under policy CP4, dwellings in rural areas outside development limits can be allowed in order to meet the needs of an enterprise with an essential requirement to locate in a rural area, or for affordable housing, in particular circumstances. In this case no special need is claimed.
- 5.3 Policy CP4 also supports the re-use of existing buildings in the countryside where it would help to support a sustainable rural economy, subject to also meeting the requirements of policies CP1 and CP2. In this instance the proposal involves the change of use of an existing building, which will not help to support a rural economy. Therefore the proposal does not comply with the requirements of policy CP4.
- 5.3 In response to the NPPF the Council has adopted a more flexible approach to development in villages in the form of Interim Policy Guidance (IPG) and there is scope therefore to proceed to consider the proposal on its merits within the terms of the Interim Guidance and the NPPF, and thereafter whether it is in accordance with any other relevant policies of the local plan including the amenity of nearby occupiers, design and any highway safety issues.
- 5.4 The IPG states that: "Small scale housing development will be supported 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."
- 5.5 Bedale with Aiskew is defined in the Interim Policy Guidance and Policy CP4 as a Service Centre which is classified as a sustainable settlement. The dwelling lies approximately 325m from the edge of the Aiskew development limit boundary. There is an existing footpath and infrastructure that links this area to the main town of Aiskew and Bedale which is considered to largely meet with criterion 1 of the IPG which states; 'Development should be located where it will support local services including services in a village nearby.
- 5.6 Whilst the site is not immediately adjacent to the built form of Aiskew, taking into account the existing nature of the structures and the support offered for new development by the Interim Policy Guidance and the proximity of the site to Aiskew, the formation of a separate dwelling in this location is considered to be sufficiently sustainable to accept the principle of the conversion to form an additional dwelling.

Highway matters

- 5.7 The access to the main dwelling and annexe is acceptable in terms of manoeuvring and the parking of cars and the design and location of the annexe is such that there will be no adverse impact on neighbouring properties and their amenities.

Residential Amenity

- 5.8 The rear private space would be segregated to allow a separate garden area for the host dwelling and the annexe. Hambleton District Councils Local Development Framework, Development Policy 1 states: 'Developments must not unacceptably reduce the existing level of amenity space about buildings, particularly dwellings, and not unacceptably affect the amenity of residents or occupants'. In this instance the private amenity space is limited, however it is considered sufficiently large enough to accord with council guidance.

Character and appearance

- 5.9 The visual appearance of the dwelling, the annexe and the amenities of the surrounding area will not change and are considered to be acceptable in that it would maintain the appearance of the street scene and visual amenity of the surrounding area.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application 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 drawings numbered R101, R102, R103 and

103B; received by Hambleton District Council on 27 June 2016; unless otherwise approved in writing by the Local Planning Authority.

3. Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing number R100 for parking spaces, turning areas and access shall be kept available for their intended purposes at all times.

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. 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; DP3, DP9, CP4, CP1, CP2 and IGN - Interim Guidance Note - 7th April 2015

3. To ensure these areas are kept available for their intended use in the interests of highway safety and the general amenity of the development.