

Parish: Brafferton
Ward: Raskelf & White Horse
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Committee Date: 2 March 2017
Officer dealing: Caroline Strudwick
Target Date: 10 March 2017

16/02391/FUL

**Change of use to self-contained living accommodation.
At Brafferton Manor Milking Parlour, Boroughbridge Road, Brafferton
For Brafferton Manor Farms**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 This application seeks planning consent for alterations to form a one bedroom bungalow.
- 1.2 The proposed accommodation would provide for a bedroom, shower room, breakfast kitchen and lounge. The proposed accommodation would involve the formation of a single storey extension to the rear, spanning the width of the south-western elevation of the detached structure. This extension would measure approximately 3.6m by 8.1m with a total height of approximately 3.8m. This extension would measure 29.2 sq.m, and the original milking parlour measuring 33.3 sq.m. The total floor area proposed would be 52.4 sq.m. The footprint of the extension has been increased through consultation with the agent, from an original submission of 37.5 sq.m. The footprint of the dwelling now meets the Nationally Described Space Standards (March 2015). Alterations comprise a replacement roof and windows and doors. Materials for the works would comprise brickwork to match with the existing structure, natural clay pantiles, and timber windows and doors.
- 1.3 As part of a previous approved application to convert the building to a holiday let (12/02608/FUL) the application was supported by a structural survey which concluded that "the building is in a generally reasonable structural condition with a few minor structural repairs required". In addition a protected species survey also concluded 'no evidence of bats or bat roosts was found and that the building does not provide potential bat roost habitat. The proposed refurbishment and extension to the building will have no impact on bats. There were also no signs of nesting birds.
- 1.4 An update to the bat survey was carried out which concluded that refurbishment of the building and addition of an extension is unlikely to have any impact on bats or bat roosts. There will be a loss of swallow and blackbird nest habitat.
- 1.5 The proposed dwelling would be accessed via the existing access onto Boroughbridge Road, and vehicle parking would be accommodated within the hardstanding area to the front (north-eastern) elevation of the building.
- 1.6 The site and the building proposed for conversion is surrounded by agricultural land to the north and west. There are 14 pheasant rearing pens immediately north of the proposal site and an additional 140 to the north east. The hardstanding area is bound by a timber post and rail fence. A landscaping belt is proposed to the north-west.
- 1.7 The existing milking parlour and hardstanding area is set above the level of the public highway to the east of the site.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 12/02608/FUL - Change of use of agricultural land and alterations to milking parlour to form a holiday cottage; Granted 12 March 2013.

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 CP21 - Safe response to natural and other forces
Development Policies DP1 - Protecting amenity
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
Development Policies DP9 - Development outside Development Limits
Development Policies DP10 - Form and character of settlements
Development Policies DP13 - Achieving and maintaining the right mix of housing
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP33 - Landscaping
National Planning Practice Guidance
National Planning Policy Framework - published 27 March 2012
Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015

4.0 CONSULTATIONS

- 4.1 Brafferton Parish Council - No objection.
- 4.2 Highway Authority - No objection subject to conditions.
- 4.3 Environmental Health - We would have concerns with this development from an Environmental Health perspective because of its close proximity to residential dwellings. Concerns would be with odours, noise and flies which have the potential to cause a nuisance/impact on residential amenity. If possible I would strongly advise positioning the pens at least 400 metres from the nearest dwelling house which would reduce the impact significantly. Did note that there was a complaint made in 2010 regarding dust, fluff and feathers from the pheasant pens, the issue did improve and the complaint was advised to get back in touch if it deteriorated again. No further complaint has been made since that time.
- 4.4 Public comment – One comment received, advising that the site is on or near a former anthrax pit. Advice has been sought from the Environmental Health Service and any comments will be reported to the meeting.

5.0 OBSERVATIONS

- 5.1 The key determining issues are (i) the principle of housing in this location; (ii) the impact on the character of the area; (iii) the impact on neighbour amenity; and (iv) highway safety.

Principle

- 5.2 LDF policies CP1 and CP2, (which relate to sustainable development and minimising the need to travel) set a general presumption against development beyond Development Limits but policies CP4 and DP9 allow that planning permission can be

granted where one or more of six exceptional circumstances are met. The applicant does not claim any of the exceptional circumstances identified in policy CP4 and, as such, the proposal would be a departure from the Development Plan. However, it is also necessary to consider more recent national policy in the form of the National planning Policy Framework (NPPF) published in March 2012. Paragraph 55 of the NPPF states:

"To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances".

- 5.3 To ensure appropriate consistent interpretation of the NPPF alongside policies CP4 and DP9, on 7 April 2015 the Council adopted Interim Policy Guidance (IPG) relating to Settlement Hierarchy and Housing Development in the Rural Areas. This guidance is intended to bridge the gap between CP4/DP9 and the NPPF and could boost overall housing supply and affordable housing provision within the District. The Council's Interim Planning Guidance therefore should also be considered. It is noted that the economic benefits that arise from the use of the property as a holiday let would now not be forthcoming.
- 5.4 Brafferton/Helperby is a Service Village and therefore considered a sustainable location for small scale development by the IPG. The proposal would therefore be capable of supporting local services and shops and with a footpath running to the village this could be accessed by a range of transport services. It is noted that the site is close to other properties within the settlement and close to local facilities including the village shop and public houses. As such the proposed dwelling would relate well to the existing settlement and would therefore be acceptably located subject to detailed consideration of the design, layout and relationship to neighbouring properties.

Character

- 5.5 Development Limits run along the southern side of St Peters Close and the site is approximately 40m beyond, slightly separated from the main form of the settlement, but it is noted that The Old Parsonage stands further outside the village to the north east and St Peters Close lies some 40m to the south. The neighbouring field to the south appears to be used as recreational land by residents of St Peters Close.
- 5.6 The proposal measures a total of 52.46 sq.m and therefore would be above the expected 50 sq.m for a one bedroom single storey property.
- 5.7 Whilst the separation from the nearest dwellings on St Peters Close is noted, it is apparent that the intervening land is used in conjunction with that development and that the proposal would make use of an existing building, albeit with significant extension. On balance it is considered that the proposal would be an organic and logical extension to the village.

Neighbour Amenity

- 5.8 The proposal site is approximately 46m from residential development on St Peters Close. It would therefore not introduce a new form of development that would impact on residential amenity, nor introduce a potential source of overlooking, resulting in a loss of privacy. The proximity to recreational areas is noted.

- 5.9 The pheasant pens to the north and north east are noted. The farm rears the chicks during May, June, July and part of August when they are moved on to other farmers land for completion prior to the start of the traditional pheasant shooting season. There are no records of complaints about noise or odour from this seasonal activity. The Parish Council advises that it has not received any adverse comments from residents regarding loss of amenity from the pheasant pens.

Highway safety

- 5.10 The comments of the Highway Authority are noted. The access to the site is established and there are existing hard surfaced areas. The proposal is therefore considered acceptable in highway safety terms and would provide an adequate level of car parking.

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 drawing(s) numbered F139/5A & 6A received by Hambleton District Council on 8th February 2017 unless otherwise approved in writing by the Local Planning Authority.
 3. No above ground construction work shall be undertaken until details and samples of the materials to be used in the construction of the external surfaces of the development 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. 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.
 5. No part of the development shall be brought into use until the approved vehicle access, parking, manoeuvring and turning areas approved under condition 4 have been constructed in accordance with the submitted drawing (Reference F139/5A). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
 6. No development shall take place until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following: (a) the parking of vehicles of site operatives and visitors; (b) loading and unloading of plant and materials; (c) storage of plant and materials used in constructing the development; and (d) measures to control the emission of dust and dirt during construction.

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 CP17 and DP32.
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 in accordance with Hambleton Local Development Framework Policy CP17.
4. In the interests of highway safety
5. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
6. In the interests of highway safety.

Informatives

1. The proposal shall cater for all types of vehicles that will use the site. The parking standards are set out in the North Yorkshire County Council publication 'Transport Issues and Development - A Guide' available at www.northyorks.gov.uk.
2. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste
1 x 240 litre green wheeled bin for garden waste
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from its own Neighbourhood Services.

If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at www.hambleton.gov.uk or by telephoning 01609 779977.

3. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.