

Parish: Thormanby
Ward: Raskelf & White
Horse
14

Committee date: 5 May 2018
Officer dealing: Miss R Hindmarch

Target date: 10 May 2018

18/00239/FUL

**Change of use of annexe to dual use as a holiday cottage and ancillary residential use
At: Annexe Two At, The Old Black Bull, Thormanby, North Yorkshire, YO61 4NN
For Applicant**

This application is referred to Planning Committee because the applicant is a member of the Council

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The Old Black Bull, formerly a public house but now a private dwelling, lies on the eastern side of the A19 within the main village street in Thormanby. The dwelling is a three storey property, with the second floor accommodation within the roof space, attached to its neighbour at The Old Rectory.
- 1.2 Access to the property is via a driveway at the north western edge of the plot, which gains access into a courtyard area at the side of the house. A detached annexe lies within the courtyard.
- 1.3 It is proposed to change the use of this ancillary residential annexe to a dual use as a holiday cottage and ancillary residential use.
- 1.4 No physical alterations are required to the building, this application purely relates to its use.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 2/99/154/0007F - Change of use of public house to private dwelling; Granted 23 September 1999.
- 2.2 2/02/154/0007G - Alterations and extensions to existing dwelling and construction of a domestic treble garage with store; Granted 10 May 2002.
- 2.3 2/05/154/0007H - Single storey extension to existing dwelling to form ancillary accommodation; Granted 20 June 2005.
- 2.4 14/00083/FUL - Conversion of existing detached garage to form an annexe and single storey extension to side of dwelling; Granted 6 March 2014.
- 2.5 16/02380/FUL – First floor extension to dwelling; Granted 5 January 2017.

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
Development Policies DP1 - Protecting amenity
Development Policies DP4 - Access for all
Development Policies DP8 - Development Limits
National Planning Policy Framework - published 27 March

4.0 CONSULTATIONS

- 4.1 Parish Council – no comments received
- 4.2 Highway Authority – There are no local highway authority objections to the proposed development
- 4.3 Public comments – none received

5.0 OBSERVATIONS

- 5.1 The issues to be considered include whether the site would be a sustainable location for the proposed development; the impact on the amenity of the adjacent residents and access to the site.
- 5.2 The building already has an authorised use as an annexe to the main dwelling.
- 5.3 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.
- 5.4 Paragraph 28 of the NPPF requires planning policies to support the sustainable growth and expansion of all types of business and enterprise in rural areas. Policy CP4 of the Hambleton LDF establishes a general presumption against development in locations outside of the Development Limits of sustainable settlements, as defined by the settlement hierarchy. Policy CP4 also recognises that there must be exceptions to this principle, for example where development would help to support a sustainable rural economy.
- 5.5 The site lies within Thormanby which is defined as an ‘Other Settlement’ and therefore not considered a sustainable location. Thormanby has very few services or amenities within the actual village that holiday accommodation would help to support, although there is a regular bus service that runs through to York to the south and Thirsk to the North which would help to minimise the need to travel by car to access services.
- 5.6 The closest facilities would be located in Carlton Husthwaite which is approximately 1.7km to the north east which offers a pub and café in Birdforth, there is a public footpath from Thormanby to Carlton Husthwaite. Husthwaite village is approximately 2.5km to the east of Thormanby, via a public right of way. By road the distance between Thormanby and Husthwaite is 4.2km. The village has a pub and village hall. Although within walking distance it is more likely that holidaymakers would rely on private transport to access these facilities.
- 5.7 Despite the site being located outside the limits to development in a village with no services there is the opportunity for the occupants of the holiday accommodation to access services by foot within nearby villages and further afield by public transport. It is considered the addition of the holiday accommodation use would help to support a sustainable rural economy and on balance the provision of the dual use is considered acceptable in principle.
- 5.8 Additional consideration would need to be given in respect of unrestricted permanent occupation; as it is close to the main dwelling there is potential for there to be an impact on residential amenity due to a loss of privacy and increased disturbance.

Appropriate conditions are recommended to restrict occupancy to that proposed in this application for holiday use or as an annexe to the dwelling.

- 5.9 There are no alterations proposed to the building and therefore no impact on the visual amenity of the locality. There are no alterations proposed and the accommodation is already in residential use albeit ancillary to the existing dwelling.
- 5.10 There is space present within the site for car parking facilities for both the holiday let building and the main dwelling. It is considered that the holiday let will not cause a significant increase in traffic movements to and from the site. The Local Highway Authority has raised no objection to the proposal.
- 5.11 The proposed change of use is acceptable, subject to appropriate conditions, and approval of the application is recommended.

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 annexe building, as shown on drawings 02 B and 03 dated 16/10/13, shall not be used other than as a unit of holiday accommodation or as accommodation ancillary to the occupation of the main dwelling known as The Old Black Bull, Thormanby, North Yorkshire. The mixed use of residential dwelling, residential annexe and holiday use shall remain as a single planning unit.
 - 3. The occupation of the annexe building as holiday accommodation shall be as follows: (i) the accommodation is occupied for holiday purposes only; (ii) the accommodation shall not be occupied as a person's sole, or main place of residence; and (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the accommodation on the site and of their main home addresses and shall make this information available at all reasonable times to 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. The Local Planning Authority would wish to carefully examine any independent use of the building to assess whether the development would be acceptable in terms of policy, access and amenity in accordance with LDF Policies CP1, CP2 and CP4 or other relevant policies of the Development Plan.
- 3. To ensure 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 Local Development Framework.