

**Parish: Crakehall**

Ward: Bedale

**2**

Committee Date : 30 May 2019

Officer dealing : Ms Helen Ledger

Target Date: 18 April 2019

Date of extension of time (if agreed): 3 June 2019

**19/00348/FUL**

**Retrospective application for alterations, extension and change of use of barn, to include the installation of 3no roof lights to the South elevation and widening of the existing brick paviours to provide a dwellinghouse and the construction of a triple timber garage / garden store, associated parking and new access.**

**at Crakehall Ings Ings Lane Kirkbridge North Yorkshire  
for Mr & Mrs Lee Green.**

**This item is referred to planning committee as the application is a departure from the development plan.**

- 1.1 The site lies in a remote location approximately one mile to the east of Crakehall. Access is by a private, shared track off the eastern side of the C-class road from Crakehall to Langthorne. Within the same ownership is the main dwelling house with associated ancillary buildings. The application site is a domestic two storey outbuilding currently used for garaging and storage which benefits from consent for holiday accommodation. The building is made up of stonework, render and some metal sheeting, although currently has no roof.
- 1.2 The current application for consideration is to retrospectively apply (as works had commenced on implementing 17/01572/FUL the holiday let permission) for alterations, extension and change of use of barn, to include the installation of 3no roof-lights to the South elevation and widening of the existing brick paviours to provide a dwelling house and the construction of a triple timber garage / garden store, associated parking and new access.
- 1.3 The application is, in effect, for the change of use from a two bedroomed unit of holiday accommodation to a 3 bedroomed private dwelling. There are no alterations to the footprint or dimensions of the building; the only alterations would be to replace a garage door with a window and to insert windows into the north facing (side) elevation. The existing roof sheets would be replaced by clay pantiles.
- 1.4 The applicant has provided the following statement to justify the proposed change from a holiday let to a permanent dwelling:

The planning permission for the property was initially granted for a holiday let. Whilst in the process of undertaking the works a number of issues were identified that were of concern regarding the operation and viability of this use.

1. Soft market testing via a number of online platforms indicated that demand for the accommodation was not as high as envisaged, this may be on account of the fact that there are a significant number of holiday lets in the area, leading to an over saturation.

2. Feedback regarding the accessibility of the property for disabled visitors was also a concern as the ground floor accommodation is limited and not suitable for flexible use and the bulk of the sleeping accommodation was upstairs. The costs of reconfiguration would be excessive.

3. The accommodation will add to the local housing mix, being of a modest scale and providing a smaller unit in an area dominated by larger properties, and this use would make the conversion viable.

## **2.0 RELEVANT PLANNING & ENFORCEMENT HISTORY**

- 2.1 12/00008/FUL - alterations and extensions to existing stables and garage into proposed annexe extension. Permission granted 13/2/2012.
- 2.2 17/01572/FUL - Change of use from domestic garage/storage to holiday accommodation - Granted 06.10.2017

## **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 CP15 - Rural Regeneration
- 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 DP9 - Development outside Development Limits
- Development Policies DP3 - Site accessibility
- Development Policies DP4 - Access for all
- Development Policies DP30 - Protecting the character and appearance of the countryside
- Development Policies DP32 - General design
- National Planning Policy Framework

## **4.0 REPRESENTATIONS:**

- 4.1 Crakehall with Langthorne Parish Council - no comments to make in relation to the application
- 4.2 NYCC Highways - No objections. Please note that this recommendation is given on the basis that the proposed new vehicular access to the site emerges onto a private track. The applicant is respectfully requested to ensure that they have the necessary access rights along the track and that an appropriate level of visibility is available for a driver emerging from the new vehicular access onto the track. Advice on this aspect can be obtained from the Highway Authority upon request.
- 4.3 Environmental Health (contaminated land) - no objections to this scheme. The Preliminary Assessment of Land Contamination (PALC) form submitted in support of the above development has not identified any potential sources of contamination on the form and therefore the risk of contamination affecting the development or end users is considered to be low.
- 4.4 Environmental Health (Residential Services) - no objections. This service has considered the potential impact on amenity and likelihood of the development to cause a nuisance and consider that there will be no negative impact.
- 4.5 Environment Agency - The proposed development will only meet the National Planning Policy Framework's requirements in relation to flood risk if a planning condition is included to cover to requirements of the flood risk assessment.
- 4.6 Internal Drainage Board - no comments to make on the application.

4.7 Site notice posted 25.03.2019 and 21 day consultation expired 15.04.2019. Development plan departure advertised 19.03.2019 and consultation to expire 25.05.2019. Any comments arriving after the publication of this report will be included in the committee update sheet.

4.8 No public comments received.

## **5.0 ANALYSIS:**

5.1 The main issues for consideration in this case relate to; i) the principle of a new dwelling in this location; ii) an assessment of the likely impact of the proposed dwelling on the character of the countryside; iii) the design and layout of the proposal; iv) residential amenity; v) flood risk and; vi) highway safety.

### The Principle

5.2 The proposed dwelling is outside development limits, the nearest being 1.25 km to the west at Great Crakehall. The Local Development Framework in policy CP4 defines the settlement hierarchy and states that development outside development limits will only be granted in exceptional circumstances. An open market dwelling in such a location does not comply with any of these policy requirements. DP9 would also allow development in locations such as this where it is a replacement building having regard to the provisions of policy CP4 and where it is a more acceptable and sustainable development than can be achieved through conversion. The applicant does not claim any of the exceptional circumstances identified in Policy CP4 and, thus the proposal would be a departure from the development plan.

5.3 The Government's recently amended National Planning Policy Framework (February 2019) sets out national planning policy and at paragraph 79 states that planning decisions should avoid the development of isolated dwellings in the countryside unless one of five circumstances applies. The third of these is c) the development would reuse redundant or disused buildings and enhance its immediate setting.

5.4 It has previously been established through the earlier grant of planning permission for the use of the building as a holiday letting unit, that the building was worthy of retention and contributed to the character and appearance of the area and was of significance in terms of the layout of the site as a whole. The justification for the development of a holiday letting unit in this location is clearer in terms of the requirements of CP4, which is considered to support the principle of holiday accommodation in this location, where full time residential accommodation would not normally be supported.

5.5 The applicant has been asked to provide justification for the proposed change from holiday letting to a permanent residential unit.

5.6 The applicant has made a short statement with regard to the viability of the original conversion and use as a holiday letting unit, carrying out a soft marketing exercise which has concluded that the use is not viable in this property, in this location.

5.7 The Local Planning Authority needs to take a balanced view between the conflict with the Development Plan and the support given by the National Planning Policy Framework, in terms of the principle of the proposed development. In this case, it is considered, that whilst the proposed permanent dwelling is not wholly in compliance with CP4, the retention of the building is welcomed and the applicant has demonstrated that the previously approved holiday letting unit is not viable. It is considered that on balance the principle of the conversion to a permanent dwelling is acceptable in this instance.

- 5.8 It is clear that the building last had an agricultural use, an old photograph has been supplied. The building is now disused, although from a site visit it is noted that it is now partly demolished due to the commencement of development in accordance with the 2017 permission for a holiday let. The barn adjoins the main house and outbuildings of Crakehall lngs. The remaining barn structure is predominantly constructed of brick over traditional stone at ground floor level. The east and north elevations at first floor level are currently partially rendered and there is an arched window that is an incongruous addition to what was an agricultural barn. The brick work is obviously a later addition over an original first floor building. It is understood that the barn had a timber and corrugated roof before its demolition.
- 5.9 Overall the character of the barn was representative of modest agricultural buildings in the area, the render treatment and domestic detailing to the Eastern Elevation detracts from this. Construction with a mix of brick and stone is locally a common approach on agricultural buildings and farm houses and the stone work is a particularly attractive feature that is to be retained as well as keeping the form and layout of this self-contained feature in the design, for the kitchen and utility room. The revised design would retain the agricultural form and improve it by using stone throughout the ground floor, brick on the first storey with timber boarding and a zinc metal cladding on the roof. The windows and doors provide necessary access and light but are simple and not overbearing in number or design. The cream render and incongruous window are removed. The agricultural origins of the building can still clearly be read.
- 5.10 The barn is set adjoining the ancillary out buildings attached to the main house. Historical photos show this marked an end of the domestic curtilage with a barn with openings to the north, and an enclosed yard area. The design would retain this layout and it is planned to reinstate the hedgerows creating a consistent curtilage around the building and further connecting the barn to the landscape setting. As this is an important feature and not shown on the revised plans it is recommended a planning condition is used to ensure the boundary treatment used is acceptable.
- 5.11 The plans also show a new access within the established curtilage to bring access away from where it is presently right in front of the principle elevation and move it to the other side of the generous curtilage. Included in the red line boundary is a new gravel drive and turning area along with a timber garage and store. While this seems large for a three bedroomed house it is clearly ancillary, single storey and in proportion with the curtilage.

#### Character and design

- 5.12 As described above the design and layout retain the valuable parts of the current building and reflect the curtilage. The site is contained within the established curtilage and also set within the wider group of main dwelling house and ancillary structures. This layout retains the form of original farm house and farm buildings therefore there is no significant impact on the setting or intrinsic qualities character of the countryside sufficient to be contrary to policy DP30.

#### Residential amenity

- 5.13 The proposed dwelling is separated from the main dwelling on the site by a large courtyard area and a series of ancillary buildings once stables. Only roof lights are planned in this adjoining elevation which reduces any impact on residential amenity of this nearby dwelling. As the building is set in the open countryside no other impacts are identified.

#### Flood risk

- 5.14 The site is identified as having a medium risk of flooding from rivers, which means that each year this area has a chance of flooding of between 1% and 3.3%. A Flood Risk Assessment has been submitted that makes recommendations on the final specifications of the build.
1. New service entries to the building will be a minimum of 300mm above finished floor levels.
  2. Electrical installations will be a minimum of 600mm above finished floor levels
  3. The upper floors of the proposed dwelling will readily provide a place of safety for the occupants and will meet the Environment Agency's requirement in the event of extreme flooding of the development site.
- 5.15 The Environment Agency has not objected to this proposal provided a condition is used to ensure these recommendations are implemented and in conclusion it is considered that the development will not result in an adverse impact in terms of flood risk.

#### Highway safety

- 5.16 The Local Highway Authority has raised no objections to the proposed development and it is considered that the proposed development will have no detrimental impact on highway safety.

### **6.0 RECOMMENDATION:**

- 6.1 That subject to any outstanding consultations the application be **GRANTED** subject to the following condition(s)
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 EVO 602/02B, EVO 602/03A; received by Hambleton District Council on 21 February and 16 April 2019; unless otherwise approved in writing by the Local Planning Authority.
  3. The development shall be carried out in accordance with the submitted flood risk assessment dated July 2017 and received on 21 February 2019 by Hambleton District Council and the following mitigation measures it details:
    - i) New service entries to the building will be a minimum of 300mm above finished floor levels.
    - ii) Electrical installations will be a minimum of 600mm above finished floor levels.
    - iii) The upper floors of the proposed dwelling will readily provide a place of safety for occupants and will meet the Environment Agency's requirement in the event of extreme flooding of the development site.These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

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) ^IN;.
3. To reduce the risk of flooding to the proposed development and future occupants