

**Parish: Easby**  
**Ward: Great Ayton**  
**3**

Committee Date : 30 May 2019  
Officer dealing : Ms Helen Ledger  
Target Date: 22 April 2019  
Date of extension of time: 3 June 2019

**19/00439/FUL**

**Change of use from a dwelling to a holiday cottage and alterations, (The Dairy) and change of use from holiday cottage to dwelling (Shepherds Rest) at Grove Farm Easby North Yorkshire for Mr J Foster And Ms A Taylor.**

**The application is reported to planning committee as a departure from the development plan.**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site is located towards Low Easby on the edge of the North York Moors National Park. It was originally a farm house and associated agricultural buildings but this has since ceased operation. The series of historic barns have since been converted to holiday lets, Roadside Barn, adjacent the main road, and the Shepard's Rest to the south of the farm house.
- 1.2 Grove Farm is accessed from the main Stokesley to Kildale road via the village of Low Easby and benefits from three accesses onto the main road, one of these serves Shepherds Rest, one the main farm house and the third serves the holiday cottage, Roadside Barn.
- 1.3 The site also benefits from consent to change the previous agricultural building to a dwelling, The Dairy, under the provisions of part 3, class Q (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). This has not been implemented.
- 1.4 The site is outside development limits by some distance, the nearest being Great Ayton to the north and Great Broughton to the south west. A public footpath runs immediately to the west of the current access track to the Shepard's Rest.
- 1.5 The proposals are as follows;

Shepherds Rest – Has current permission for Holiday let. It is proposed to change this to permanent dwelling. External works proposed comprise subdivision of the frontage by a new timber fence or hedge to create a separate front garden from the adjoining main farm house, and addition of hard standing for a refuse store area to the rear. Listed Building consent was applied for and withdrawn when the changes proposed were considered not to require this consent.

The Dairy – Current permission under permitted development for permanent dwelling. It is proposed to change to a holiday let. External works comprise an enlarged garden area surrounded by timber fence with cycle store building and refuse store. It is considered that The Dairy is not a listed building in this case. The building is a relatively modern brick built agricultural building with metal sliding door at one end, metal corrugated roof and is not considered to have heritage significance.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 The Shepherds Rest was a former farm building and was converted into a residential annexe following the granting of full planning and listed building approvals in 2005

(approvals reference 2/04/040/0028/F and 2/04/040/0028/G granted 5th October 2004). More recently, the ancillary accommodation was changed into a holiday cottage by virtue of the planning approval 10/00743/FUL granted on the 11th June 2010, this was then amended to include the use of annexe as well as holiday cottage on the 2nd June 2011 (approval reference 11/00759/MRC) and the cottage has been used as both holiday cottage and annexe since the granting of the approval.

- 2.2 The Dairy was granted approval as an independent unrestricted dwelling under the provisions of part 3, class Q (a) of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) on the 7th June 2017 under reference 17/00847/MBN and it is understood to date no building works have commenced on the conversion of the building.

### **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 DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP25 - Rural employment  
Development Policies DP28 - Conservation  
Development Policies DP30 - Protecting the character and appearance of the countryside  
Development Policies DP32 - General design  
Development Policies DP33 - Landscaping  
National Planning Policy Framework

### **4.0 CONSULTATIONS**

- 4.1 Easby Parish Council - No observations
- 4.2 Natural England - No comments
- 4.3 NYCC Footpaths - No comment. Informative to be added to safeguard the adjacent right of way route.

### **5.0 ANALYSIS**

- 5.1 The main issues to consider are i) heritage matters ii) the principle of a new holiday let in The Dairy and holiday let in the Shepard's Rest; iii) the impacts on the countryside character of the area, iv) design; v) impact on residential amenity.

#### Heritage impacts

- 5.2 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the

desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

- 5.3 The National Planning Policy Framework paragraphs 193 and 194 requires careful assessment of the impact of proposals on the potential harm to the significance of a designated heritage asset, and requires harm to be weighed against the public benefits of the proposal, including securing optimum viable use for the building.
- 5.4 It must be noted that any harm must be given great weight and importance in the determination of the application.
- 5.5 The heritage statement submitted describes the context of the Shepard's Rest within the context of Grove Farm. This is part of an early 19th century the estate owned Robert Campion Esq. of Whitby whose wealth was created through the banking, shipbuilding, sail cloth manufacture and associated industries. Campion was a Wesleyan Methodist, philanthropist and admirer of Captain James Cook. It is through its links with Campion that Grove farm is connected to the famous landmark that is Captain Cooks Monument. It was in 1827 that Campion commissioned and paid for the monument to be built on the highest point of his estate, on Easby Moor. The farm in its own right is a significant historic asset, located as it is, close to the centre of what was once an Estate village, with estate workers cottages, a blacksmith's, a joiner's shop, a mill, a Methodist chapel and the estate church. Until recently the village was only accessible by crossing a ford.
- 5.6 The applicant has confirmed that the grade II listed Shepard's Rest, currently used as a holiday let, has minimal works proposed, all externally and comprising subdivision of the frontage by a new timber fence to create a separate front garden from the adjoining main farm house, and addition of hard standing for a refuse store to the rear. Therefore this proposal has no impact on fabric of this listed building and no harm can be found with this change of use. Plans show that the subdivision will be required to allow the building to comfortably function as an independent dwelling. The addition of subdivision of the curtilage and addition of hard standing store area, whilst giving a listed building a viable use, it is found that the development will result in no harm to this heritage asset.

#### The principle

- 5.7 The proposal for changing a former agricultural building into a holiday let is supported by policy CP4 part i) it is a location within the countryside and close to the North York Moors National Park which would help support a sustainable rural economy. The applicant considers that the demand for holiday accommodation has changed since the permission to change the Shepherds Rest into holiday accommodation was implemented; visitors want to stay for shorter periods not a full week, and want to have somewhere to store equipment such as cycles securely overnight. The applicant considers that the property known as, The Dairy would have a footprint more suitable for this and allow individuals to stay without hiring the whole property. It is true that the Dairy has broader dimensions and is not listed, so would have considerably less heritage related constraints. The internal plans show the creation of three en-suite double bedrooms along with a communal kitchen, dining, sitting room. Exterior stores to securely store cycles and hard standing for refuse store are also proposed.
- 5.8 The planning statement sets out that the viability of the lettings business on the Shepherds Rest has dropped in real terms by 30% in seeking to justify the proposed development.

The other aspect of the proposal is to change the Shepherds Rest from its current status as a holiday let into a new independent dwelling. The Dairy currently benefits from a change of use permission under permitted development rights. The application will effectively swap these uses over. On balance it is considered there would be no net additional impact as a result of this proposal which will leave one dwelling and one holiday let.

#### Impacts on the countryside

- 5.9 In terms of the impact on the countryside, policy DP30 requires that the openness, intrinsic character of the countryside and quality of the district's landscape should be respected and where possible enhanced. Both structures are existing, one the Shepard's Rest requires limited external works only. The Dairy will require new building works and this is located inside the complex of farm building; views from the public sphere are limited to the adjacent public footpath to the south. It is considered that the proposed development will have no detrimental impact on the open character of the surrounding countryside.

#### Design

- 5.10 The Dairy is a functional agricultural building constructed of brick work walls and metal corrugated roof. The proposed scheme to provide holiday accommodation is also functional but the exterior brick would be retained and repointed with the addition of timber windows and doors, conservation style roof lights and a pantile roof. The new openings are limited and do not unduly affect the character of the building.

#### Residential amenity

- 5.11 Impacts on the residential amenity of new occupants would have been a consideration on the in the previous prior notification class Q application at the Dairy, and as the farm is no longer operating this is dismissed as an issue. This site would be in some ways self-contained and its occupation would be limited by planning condition to holiday let. The existing structure will not be added to, although a new access across what was once the farmyard will be made and a new curtilage provided. The parking and garden area would be located away from the existing farm house and holiday let at Roadside barn. No windows are proposed in the Dairy to the west, save roof lights and only one timber window for a bathroom in the north elevation would overlook the garden of Grove Farm and Roadside Barn. This can be conditioned to be obscure glazed.
- 5.12 Subdivision of the Shepard's Rest would create a sizable dwelling and curtilage. There is adequate space to do this without having an impact on the residential amenity of adjoining buildings or the future occupants of the Shepard's Rest. There are no significant residential amenity impacts identified.

#### Planning Balance

- 5.13 On balance the series of proposals for consideration will result in no net change in terms of the level of housing in the countryside over and above that previously approved in this location already granted consent through permitted development rights. The proposed development will have a satisfactory level of amenity and there is considered to be no identified harm to heritage assets.

### **6.0 RECOMMENDATION:**

- 6.1 That subject to any outstanding consultations the applications 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 1472/9 and 1472/7; received by Hambleton District Council on 25 February 2019; unless otherwise approved in writing by the Local Planning Authority.
3. The occupation of the accommodation hereby approved shall be as follows:
  - (i) the holiday accommodation is occupied for holiday purposes only;
  - (ii) the holiday accommodation shall not be occupied as a person's sole, or main place of residence;
  - (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of the holiday 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.
4. The windows on the north elevation of the building shall at all times be glazed with obscured glass.

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) DP1, DP32 and DP30;
3. To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation and can thereby contribute to the economy in accordance with the objectives of the Hambleton Local Development Framework.
4. To safeguard the amenities of occupiers of adjoining residential property in accordance with Local Development Framework Policies CP1 and DP1.