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15/01126/FUL

**Conversion and extension of existing buildings to create a single dwelling (revised scheme)
at Eldmire Hill, Ox Close Lane, Eldmire
for Mr and Mrs Richardson**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The proposed dwelling and garage would be formed to the east and north of the range of traditional buildings on site.
- 1.2 Planning permission was granted for the original range of traditional buildings to be converted to 3 three-bedroom dwellings in 1996. One dwelling of this permission was commenced and is occupied to the west of the former agricultural complex. An extant permission therefore remains for the conversion of the remaining traditional buildings on site, which are now the subject of this application.
- 1.3 The applicant intends to progress with the conversion of the agricultural buildings to a single 4 bedroom dwelling and detached garage (with meeting room and office). Three extensions are proposed to form a lounge (7.1m x 6m), an extended master bedroom (4.9m x 4.5m), and a small single storey extension to form two stores. Materials for the proposed works would comprise brick and pantiles.
- 1.4 The site is accessed from the public highway to the south and is within Flood Zone 1.
- 1.5 A Protected Species Survey has been submitted, concluding: "Due to the potential bat roost habitat, the results of the survey are only valid until May 2015, after which time the site should be reassessed prior to works starting".
- 1.6 A Building Condition Report has been submitted concluding: "The buildings are able to be converted into a dwelling use without requiring significant rebuilding".

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 2/92/046/0007 - Conversion of existing disused agricultural buildings to 3 dwellings and domestic garages; Granted 1992.
- 2.2 2/96/046/0007A - Revised application for the conversion of existing disused agricultural buildings to 3 dwellings and domestic garages; Granted 1996.

3.0 NATIONAL AND LOCAL POLICY

- 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 CP15 - Rural Regeneration
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP17 - Promoting high quality design
- Core Strategy Policy CP19 - Recreational facilities and amenity open space
- Core Strategy Policy CP21 - Safe response to natural and other forces

Development Policies DP1 - Protecting amenity
Development Policies DP2 - Securing developer contributions
Development Policies DP3 - Site accessibility
Development Policies DP4 - Access for all
Development Policies DP6 - Utilities and infrastructure
Development Policies DP9 - Development outside Development Limits
Development Policies DP26 - Agricultural issues
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
Development Policies DP37 - Open space, sport and recreation
Development Policies DP43 - Flooding and floodplains
Interim Policy Guidance Note - adopted by Council on 7th April 2015
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Parish Meeting - no comments.
- 4.2 NYCC Highways - no objections.
- 4.3 Environmental Health - no objections.
- 4.4 Environmental Health Scientific Officer - recommends the submission of Preliminary Assessment of Land Contamination form or planning condition (PALC form submitted on 17 June 2015).
- 4.5 Yorkshire Water - no response.
- 4.6 Neighbour notified and site notice posted - no responses received.
- 4.7 Press Advert – response awaited.

5.0 OBSERVATIONS

- 5.1 The main planning issues to take into account when considering this application relate to (i) the principle of development in this location; (ii) any impact on the visual amenity of the surrounding area; (iii) any impact on neighbour amenity; (iv) any highway safety issues that may arise; (v) protected species; and (vi) the liability of the development for the Community Infrastructure Levy.

Principle of development

- 5.2 Two viable fall-back positions exist for the buildings the subject of this application; continuation with the extant permission for their conversion to 2 three-bedroom dwellings or conversion using the Class Q permitted development rights. The applicant is wishing to extend the structure and therefore cannot progress by the latter route, but it is acknowledged that the size of the former agricultural building is sufficient to be converted without extension and therefore the Class Q permitted development rights have some relevance.
- 5.3 The principle of the scheme is not compliant with current local policy and the Interim Policy Guidance due to its isolated location well away from Development Limits. Greater consideration however needs to be given to whether the proposed use is any less sustainable than a dwelling that could be achieved via the options available above. The size of the building and associated occupants and vehicle movements would be neutral from a sustainability perspective in terms of the need to travel. Taking the broader NPPF definition of sustainability the development would perform a limited economic role during its construction and from the contribution of the

occupants to the local economy. It would perform a more significant social role in that further rural housing need would be met, which would support a nearby community. In environmental terms, the development would promote a viable use for redundant agricultural buildings.

- 5.4 Considering the above the scheme is considered to be compliant with national policy and the non-conformity with local policy is, in this case, balanced by the reality of two options to carry out residential conversion without needing further planning permission. The principle of development in this location is therefore acceptable despite the fact that it would depart from the Development Plan.

Visual amenity

- 5.5 The design, scale and materials of the proposed works to the building and associated extensions would maintain the visual amenity of the surrounding countryside and would respect the character and appearance of the building.

Neighbour amenity

- 5.6 The internal layout, fenestration positioning, and separation distances to the adjacent dwellings would not give rise to an erosion of neighbour amenity.

Highway safety

- 5.7 The highway Authority has considered the proposal and has not raised any concerns. The scheme does not therefore raise any adverse highway safety issues.

Protected species

- 5.8 The submitted protected species survey is out of date. A planning condition could be attached to any permission granted requesting the submission and approval of a further survey and implementation of any appropriate mitigation measures.

Community Infrastructure Levy

- 5.9 The scheme is liable for the Community Infrastructure Levy and the agent has forward the CIL Information Form 0.

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 and details received by Hambleton District Council on 21 May 2015 and 29 May 2015 unless otherwise approved in writing by the Local Planning Authority.
 3. Prior to development commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

4. Prior to the development commencing, details of the cross section of the window frames and glazing bars, together with details of the materials, method of construction and opening mechanism and opening movement of all windows and doors shall be submitted to and approved in writing by the Local Planning Authority. Following such written approval, all installed windows and doors shall conform to that approved specification.
5. Prior to development commencing a further bat survey of the buildings proposed for conversion shall be submitted to and approved in writing by the Local Planning Authority. Thereafter any mitigation measures shall be implemented and retained.
6. The development shall not be occupied until details relating to boundary walls, fences and other means of enclosure for all parts of the development have been submitted to and approved in writing by the Local Planning Authority
7. No dwelling shall be occupied until the boundary walls, fences and other means of enclosure have been constructed in accordance with the details approved in accordance with condition 6 above. All boundary walls, fences and other means of enclosure shall be retained and no part thereof shall be removed without the prior consent of the Local Planning Authority.
8. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
9. The site shall be developed with separate systems of drainage for foul and surface water.
10. Prior to development commencing a full protected species survey shall be submitted to and approved by the Local Planning Authority. Following this and prior to commencement of works any mitigation measures shall be implemented and retained.

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 CP1, CP16, CP17, DP1, DP30 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. Submission of these details is required prior to commencement in order to ensure that only external materials appropriate to the local area are used.
4. To ensure that the appearance of the windows are appropriate to the character and appearance of the former agricultural building. Submission of these details is required prior to commencement in order to ensure that only detailing appropriate to the local area is used.
5. To minimise the risk to protected species.

6. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
7. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings.
8. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Development Framework Policies CP1, DP1, CP17 and DP32.
9. In the interest of satisfactory drainage and to avoid pollution of the water environment in accordance with Hambleton Local Development Framework policy DP43.
10. To safeguard protected species. Submission of these details is required prior to commencement of development to ensure that the works to the building do not disrupt bat roosts and that mitigation measures are in place when works commence.