

Parish: Linton-on-Ouse
Ward: Easingwold
5

Committee Date : 23rd September 2021
Officer dealing: Mr Marc Pearson
Target Date: 29th July 2021
Date of extension of time (if agreed):

21/01453/FUL

Alterations to existing farmhouse to create 2no self contained dwellings for assured shorthold tenancy letting purposes

At: 3 Linton Wood Farm, Linton Wood Lane, Linton-On-Ouse
For: Univ Dev Co University College Oxford

This application is referred to the Planning Committee due to it being a departure from the Development Plan.

1.0 Site, context and proposal

- 1.1 The application site is in an isolated location on the east side of Linton Woods Lane approximately 2km to the north-east of centre of Linton On Ouse. The site is occupied by an L-shaped two storey farmhouse constructed in red brick with a pitched pantile roof. The farmhouse and its complex of associated building are no longer in agricultural use and the farmhouse not currently occupied. The farmhouse is orientated east/west, with the principal element facing east towards the lane. To the rear is a two storey wing (with lower eaves and ridge heights) that has in independent internal stair case with separate ground and first floor rooms from the principal element. This rear element is orientated north/south. Access is achieved from Linton Woods Lane via a short driveway that leads to a hardstanding area to the south of the farmhouse that also includes a derelict modern garage. Existing garden areas are situated to the west, east and south of the farmhouse and are defined by a variety of low brick walls, hedge and timber post and rail fencing.
- 1.2 Immediately to the north and attached to the farmhouse are a variety of historic ancillary farm buildings also constructed in brick with pitched pantile or concrete sheet covered roofs and a detached modern portal framed structure that form part of the wider farm complex. Beyond the farm complex c. 80m to the north are two storey properties known as The Cottages. Immediately to the south and east are a number of mature trees that provide a degree of screening to the application site. The remaining context is defined by isolated farm complexes that sit within the agricultural land with that forms part of the rural context to the village.
- 1.3 This proposal involves the sub-division of the farmhouse to form two separate dwellings. Given the existing staircase the internal alterations relate to minor layout alterations whilst a number of external alterations are required to enable separate entrances to be formalised together with the provision of some new openings within existing rooms. These alterations are located within the side gable of the farm house and the subsidiary wing located to the rear. The outdoor amenity space will be sub-divided between the two properties and external parking areas will be provided for each dwelling in the existing hardstanding area to the south. The existing garage is to be demolished.

2.0 Relevant Planning History

2.1 No relevant planning history.

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 CP17 - Promoting high quality design

Development Policies DP1 - Protecting amenity

Development Policies DP8 - Development Limits

Development Policies DP9 - Development outside Development Limits

Development Policies DP30 - Protecting the character and appearance of the countryside

Development Policies DP32 - General design

The Hambleton Local Plan was considered at Examination in Public during Oct-Nov 2020. Further details are available at

<https://www.hambleton.gov.uk/localplan/site/index.php>

The Development Plan for Hambleton is the Local Development Framework and the emerging Local Plan is no more than a material consideration. The Local Planning Authority may give weight to relevant policies in an emerging plan as advised in paragraph 48 of the NPPF.

4.0 Consultations

4.1 Linton Ouse Parish Council – No response received (expired 16.07.2021)

4.2 NYCC Highways – No objections.

4.3 Yorkshire Water – No comments received (expired 16.07.2021)

4.4 Environmental Health – No objections.

4.5 Site Notice & Neighbour Notification - No comments received - expired 20.07.2021 and 16.07.2021.

4.6 RAF Linton On Ouse – No response received – expired 10.09.2021

5.0 Analysis

5.1 The issues to consider are:

i) the principle of an additional dwelling in this location,

ii) design of the alterations and the impact on the open countryside,

iii) amenity and

iv) highway safety.

i) The Principle

- 5.2 The site is outside of the designated development boundaries and as such constitutes development in the open countryside. As a result, LDF policy DP9 notes that development will only be supported subject to the exceptional circumstances outlined in LDF policy CP4. None of the exceptional circumstances therein are being claimed in this instance. The Council adopted the Interim Policy Guidance relating to small scale rural housing development in 2015 but this is not considered relevant in this instance due location of the site c. 2km from the Linton on Ouse.
- 5.3 As a result, the most up to date policy guidance is the National Planning Policy Framework (NPPF) which is in general more supportive of rural housing. Relevant in this case is para 80d) of the NPPF2021 which states "Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply: d).the development would involve the subdivision of an existing residential building; or".
- 5.4 The overarching aim of the NPPF is the presumption in favour of sustainable development, with para 11d) noting that where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
- i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
- 5.5 Given the NPPF post-dates the relevant local policy and the lack of policy within the LDF on the matter of sub-division of residential buildings in the countryside, the conclusion is drawn that the NPPF takes precedence in the decision-making process.
- 5.6 As noted in the paragraph 1.3 above the proposals only require minor internal and external alterations to allow for the sub-division. Overall, the proposal is supported in principle by the NPPF.
- ii) Design and impact on the open countryside
- 5.7 The proposed external alterations to the existing dwelling are limited to the provision of new entrance doors and a number of new openings in order to facilitate its subdivision. These alterations are considered to be appropriate in terms of their design and impact on the character of the farmhouse.
- 5.8 Due to the surrounding trees to the south and the existing buildings to the north and the minor nature of the proposed external alterations, and the arrangement of the proposed garden areas it will not have a harmful impact on the character and appearance of the surrounding landscape and countryside. On this basis the proposal is considered to satisfy the requirements of LDF Policies CP17, DP30 and DP32.

iii) Amenity

- 5.9 The introduction of an additional dwelling onto the site carries with it a risk of having a detrimental impact on amenity of future occupants of both of the units proposed. However, given the L-shaped arrangement, none of the proposed alterations or new openings raise any overlooking concerns. Similarly, the proposal will not raise any overshadowing and loss of light provision for either unit. The existing outdoor amenity space will be suitably divided based on the size of each unit, with sufficient space to both of the proposed units.
- 5.10 It is noted that the attached former farm buildings in the ownership of the applicant have a lawful agricultural use and could be used for such purposes including the housing of livestock. Given the potential conflict of such a use, noting the increased and unrelated occupation of the dwellings, the applicant has agreed to enter into a unilateral undertaking to cease the use of buildings for housing livestock. This approach would restrict the agricultural livestock use but would not prevent the use for the storage of machinery or agricultural products. On this basis officers consider the unilateral undertaking will adequately protect the amenity of the residents. Therefore, the proposal suitably protects amenity and therefore complies with the requirements of LDF policies CP1 and DP1.

iv) Highway Safety

- 5.11 The additional dwelling will be served by the established access point on Linton Woods Lane. NYCC Highways were consulted on this proposal and raised no objection. Furthermore, it should also be noted that sufficient space for parking and turning space adjacent to the south is proposed. On this basis the proposal is considered to satisfy LDF policies CP2 and DP3 and is deemed to be acceptable from a highway perspective.

Planning Balance

- 5.12 Whilst the proposal is not supported in principle by LDF Policy, it is in line with the most up to date policy guidance in the NPPF and is therefore considered acceptable in principle. It is considered that the proposed development complies with the relevant Local Development Framework policy in terms of design, amenity and is otherwise in accordance with local and national policy requirements. The proposal would result in an additional dwelling which is a social gain with some modest economic benefit and without environmental harm.

6.0 Recommendation:

- 6.1 That subject to (a) the satisfactory prior completion of a planning obligation to secure the cessation of the use of the adjacent agricultural buildings for livestock and (b) 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 permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) Y-RH-BSP-7155-18-103 C and 104 A received by Hambleton District Council on 20.08.2021 unless otherwise approved in writing by the Local Planning Authority.

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples 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. Above ground construction shall not be commenced 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. The development shall be implemented in accordance with the approved details.

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 Policies 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 and DP32.

4. To protect the amenity of the neighbouring residents and to ensure that the development is appropriate to the character and appearance of its surroundings in accordance with the Local Development Framework Policies CP1, DP1, CP17 and DP32.