

**Parish: Huby**

Ward: Huby

**7**

**15/01509/FUL**

Committee Date: 17 September 2015

Officer dealing: Mrs C Davies

Target Date: 30<sup>th</sup> September 2015

**Change of use of dwellinghouse to a bed and breakfast guest house.  
at Rowan Brea Bell Lane Huby  
for Mrs Amanda Pavis**

**1.0 SITE DESCRIPTION AND PROPOSAL**

- 1.1 This application seeks to change the use of Rowan Brea, a two storey residential dwelling off Bell Lane, to a 4/5 bedroomed bed and breakfast guest house. It has been submitted in association with application reference 15/01063/OUT, seeking to erect a detached four bedroom dwelling house to the rear of Rowan Brea, to accommodate the bed and breakfast owners and their family. A business plan has been submitted with the application to illustrate how the enterprise would operate and to justify the new dwelling.
- 1.2 No external alterations are proposed as part of the scheme and the existing access on Bell Lane would continue to be used.
- 1.3 The site lies outside the Development Limits of Huby.

**2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 2/83/070/0032C – Use of part of the existing dwellinghouse for bed and breakfast purposes; Granted 1987.
- 2.2 09/00117/FUL - Change of use of dwelling to bed/breakfast and construction of a dwelling; refused 20 April 2009, appeal dismissed 7 August 2009.
- 2.3 15/01063/OUT – Outline application for the construction for a two-storey 4 bedroom dwelling; report elsewhere on this agenda.

**3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
Core Strategy Policy CP4 - Settlement hierarchy  
Development Policies DP9 - Development outside Development Limits  
Development Policies DP1 - Protecting amenity  
Development Policies DP16 – Economy and Employment  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policy DP25 – Rural employment  
Development Policies DP32 - General design  
National Planning Policy Framework – published March 2012

**4.0 CONSULTATIONS**

- 4.1 Parish Council – No objections to the scheme. Off-road car parking is available and there are no external alterations proposed.

- 4.2 Environmental Health Officer – No objection. For the disabled guest room, it will also be necessary to have due regard to the width of doorways on the ground floor, to allow for wheelchair access. Furthermore, there is no readily accessible guest toilet or bathing facilities on the ground floor, necessitating a disabled person to access facilities on the first floor. When considering fire safety and exit routes from the building I would consider that safety would be enhanced if the inner front entrance door were re-hung so as to open into the entry vestibule rather than into the escape corridor and across the doorway of the ground floor front elevation left hand room.
- 4.3 NYCC Highways – No objections subject to a condition.
- 4.4 Ministry of Defence - no safeguarding objections to this proposal.
- 4.5 Yorkshire Water – No response.
- 4.6 Neighbours/site notice: No responses received.

## **5.0 OBSERVATIONS**

- 5.1 The main issues for consideration in this case relate to the principle of allowing the change of use in this location, outside the Development Limits, together with an assessment of the likely impact upon the character and appearance of the area, highway safety and neighbour amenity.
- 5.2 It is noted that planning permission was granted for a change of use to a bed and breakfast facility at Rowan Brea in 1987, however, that permission was not implemented and has since lapsed. Policy CP4 states that development outside the defined Development Limits of identified settlements will only be supported in specific circumstances. This includes two relevant criteria: (i) where development is necessary to meet the needs of tourism; and (vi) where it helps to support a sustainable rural economy.
- 5.3 The site falls 390m outside the Development Limits for the village of Huby, however, the site is well connected as there is a bus stop outside, a paved footpath to the village and there would be opportunities for cycling along the road network. It is anticipated that local businesses would be supported by visitors to the bed and breakfast and that the wider area offers further tourist opportunities with the National Park in close proximity. The bed and breakfast guest house would be a small scale development of 4/5 rooms providing two full time jobs and one part time job, it therefore accords with Policy DP25 which seeks to support rural employment opportunities.
- 5.4 The applicants have submitted a business plan to support the economic case for the Bed and Breakfast business and to support the separate application for a dwelling behind Rowan Brea for them to live in. This indicates that the business would not be viable unless it were of a size that requires the family to move out of the building to make way. They have confirmed in writing that they would be willing to accept a condition linking the operation of the bed and breakfast business to the new dwelling. Taking the above into account it is considered that exception criterion (i) would be met and that the requirements of Policies CP4 and DP25 would be satisfied.
- 5.5 Access to the Bed and Breakfast would be from the existing access to the property on Bell Lane and there would be ample space for parking on the site. The Highway Authority has visited the site and confirms that a suitable access could be achieved subject to a condition on parking layout. Taking the above into account, highways issues would be satisfied.

- 5.6 The property is a detached house, with established boundaries including hedges and above eye-level wooden fencing. There would be sufficient separation distances to neighbouring properties to ensure that residential amenity of neighbours would not be significantly adversely affected by the comings and goings of guests arising from the proposal. As there would be no external changes to the property there would be no significant adverse issues arising in terms of overlooking, overshadowing, or loss of privacy to neighbours and the proposal would accord with Policy DP1.
- 5.7 It is proposed that the four first floor bedrooms would be changed to guest rooms and that there would be one guest room down stairs. Environmental Health' comments on the provision of the accessible room downstairs, whilst not affecting the planning consideration of the case, have been passed on to the applicants for consideration. No external changes are proposed to the property and there are no issues arising in respect of the impact of the scheme upon the street scene or wider rural landscape. The proposal complies with Policies CP17 and DP32.

## 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 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.
  3. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site in connection with the construction of the access road or building(s) or other works hereby permitted until full details of the following have been submitted to and approved in writing by the Local Planning Authority:
    - (i) vehicular parking for the proposed bed and breakfast use
    - (ii) vehicular turning arrangements for the proposed bed and breakfast use
    - (iii) manoeuvring arrangements for the proposed bed and breakfast useNo part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the submitted details. Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
  4. The permission hereby granted shall not be undertaken other than in complete accordance with the location plan and proposed floor plans received by Hambleton District Council on 6 July 2015 unless otherwise approved in writing by the Local Planning Authority.

The reasons for the above conditions are:

1. To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To ensure that 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.

3. To ensure appropriate on-site facilities in the interests of highway safety and the general amenity of the development in accordance with LDF Policies CP2 and DP4 and in the interests of highway safety.
4. 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.