

**Item Number:** 10  
**Application No:** 14/00358/FUL  
**Parish:** Marishes Parish Meeting  
**Appn. Type:** Full Application  
**Applicant:** Mr And Mrs A Watkinson  
**Proposal:** Change of use and alterations of outbuilding to form a two bedroom dwelling to include formation of vehicular access and associated parking and amenity area.  
**Location:** Store At Fullerton House Marishes Low Road Low Marishes Malton North Yorkshire

**Registration Date:**  
**8/13 Wk Expiry Date:** 27 May 2014  
**Overall Expiry Date:** 7 May 2014  
**Case Officer:** Matthew Mortonson **Ext:** 332

#### CONSULTATIONS:

<b>Parish Council</b>	Object
<b>Environmental Health Officer</b>	Comments received regarding screening form and recommends informative
<b>Countryside Officer</b>	Request full report.
<b>Highways North Yorkshire</b>	More information required
<b>CAMRA</b>	No views received to date
<b>Property Management</b>	No views received to date
<b>Sustainable Places Team (Yorkshire Area)</b>	Do not wish to make detailed comments
<b>Land Use Planning</b>	Comments made regarding water supply and waste water
<b>Highways North Yorkshire</b>	Recommend conditions
<b>Neighbour responses:</b>	Dr Simon Hird,

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#### SITE:

Low Marishes is a small village situated approximately 1.2km to the east of the A169 Malton to Pickering Road, approximately 5km north of Malton and 6km south of Pickering. The village does not contain any development limits, therefore the site is located within the Wider Open Countryside.

#### PROPOSAL:

The proposal seeks planning permission for the change of use and alterations of an outbuilding to form a two bedroom dwelling to include the formation of a vehicular access and associated parking and amenity area.

#### HISTORY:

00/00558/FUL - August 2000 permission granted for a change of use of farm buildings to form 6 letting bedrooms.

09/01277/FUL - Permission refused for change of use and alteration of Public House to form two dwellings. Appeal dismissed.

11/00360/FUL - Permission refused for change of use and alteration of Public House to form 2 dwellings.

11/00811/FUL - Application withdrawn for change of use and alteration of Public House to form two dwellings.

12/00008/FUL - Permission refused for change of use and alteration of part of public house to 1 no. three bedroom dwelling with remainder of the building to be retained as a public house with first floor living accommodation to include external and internal alterations.

13/00337/FUL - Planning Permission Granted (Appeal) for Change of use and alteration of public house to form a four-bedroom dwelling with parking/turning and amenity areas.

14/00126/FUL - Application withdrawn for change of use and alteration of outbuilding to form a two bedroom dwelling to include increase in ridge height, erection of single storey extension, formation of vehicular access and associated parking and amenity area.

**POLICY:**

National Planning Policy Framework 2012 (NPPF)

National Planning Policy Guidance (NPPG)

Local Planning Strategy; Ryedale Plan adopted 5 September 2013

Policy SP1 - General Location of Development and Settlement Hierarchy

Policy SP2 - Delivery and Distribution

Policy SP4 - Type and Mix of New Housing

Policy SP11 - Community Facilities and Services

Policy SP16 - Design

Policy SP19 - Presumption in favour of sustainable development

Policy SP20 - Generic Development Management Issues

Policy SP21 - Occupancy Restrictions

**APPRAISAL:**

This application is presented to the Planning Committee as a result of a letter objection received from the Parish Council and a nearby resident. The concerns raised include:

- a) Drainage details have not been provided
- b) Proposed alterations are not sympathetic and overly domestic in character
- c) The principle of the development
- d) The applicant fails to meet Local Needs Occupancy condition
- e) The loss of a potential future community facility
- f) Flood risk concerns

In assessing this proposal, the following considerations are relevant:

- i) The Principle of the Development
- ii) Character and Form
- iii) Residential Amenity
- iv) Other Matters

In considering the principle of the development, Policy SP2 of the Ryedale Local Plan Strategy identifies the sources of new housing that will contribute to the supply of new homes across the District. It is stated that in the wider open countryside the '*Conversion of redundant or disused traditional rural buildings and where this would lead to an enhancement to the immediate setting for Local Needs Occupancy*' will be supported.

This proposal seeks the conversion of an outbuilding which previously formed part of 'The School House Inn' public house. The public house has recently been converted into two separate residential dwellings, one of which this outbuilding is currently ancillary too. The applicant has family who lives in the dwelling on site and has identified that the need to convert this particular outbuilding is to provide family support for the applicant in the future. In light of this, and as the applicant is a resident of a neighbouring parish (Pickering), the criteria of the Local Needs Occupancy condition (as identified in Policy SP21) has been met.

The built form of the site is characterised by the main building, the former School House Inn, and a number of ancillary outbuildings. This form and layout replicates the rural setting in which the site is located. This proposal seeks to convert the outbuilding situated to the front of the site. At this point, Members will note that the outbuilding is current in a state of disrepair, to such an extent that the applicant advised that the roof of the building had to be removed for the safety reasons.

In order for the site to accommodate sufficient amenity levels required for a single dwellinghouse, boundary treatment will be necessary to separate the dwelling from the highway and the adjacent residential property. To this regard, the applicant has provided details of the boundary treatment proposed. The site layout plan received by the Local Planning Authority on 6 June 2014, identifies that as part of the proposal, a single car parking space is located to the front of the outbuilding with the garden area is located to the side and further parking towards the rear.

As this site is prominent within the street scene, Officers do have some concerns with regard to the visual impact of this proposal. However, subject to conditions to ensure the appropriate appearance of the building and boundary treatment, the proposed conversion of the building together with the alterations to the site is considered to be acceptable. The development of this building which is in poor condition would enhance the immediate setting of the site in accordance with the requirements of Policy SP2 of the Ryedale Local Plan Strategy.

With respect to residential amenity, Policy SP20 of the Ryedale Local Plan Strategy states '*New development will not have a material adverse impact on the amenity of present or future occupiers of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. Impacts on amenity can include, for example, noise, dust, odour, light flicker, loss of privacy or natural daylight or be an overbearing presence.*'

In considering whether this proposal provides sufficient levels of residential amenity, account is taken to all factors which contribute to this. This includes the size of the dwelling and the accommodation within it, any outdoor amenity space provided and the relationship of the proposal with its surroundings.

This proposal seeks to provide a two bedroom dwelling within a modest sized outbuilding. The scale of the building is such that each of the rooms within the dwelling are modest in size. For information, the room sizes of the proposed are as follows:

Living Room - 16.2sqm  
Dining / Kitchen - 22.05sqm  
Bedroom 1 - 11.2sqm  
Bedroom 2 - 10.08sqm  
Bathroom - 3.6sqm

In terms of the outdoor amenity space, this would be provided to the east of the outbuilding.

Taking into account the size of the dwelling together with the outdoor amenity space, it is considered that the proposal would provide the sufficient levels of residential amenity for future occupiers of the dwelling to enjoy. The proposed boundary treatment would ensure that the development would not materially impact on nearby residents, and the levels of activity associated to this cottage, which is located adjacent to the existing highway, would not be materially harmful.

Therefore, the proposal is considered to be acceptable in residential amenity terms and in accordance with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

With respect to other matters, Members will note that the loss of this building as a potential future community facility is not a material planning consideration in respect to this application. No objections have been received from NYCC Highway Authority in terms of parking and access. The Environment Agency and Yorkshire Water have raised no objections to the application which proposes the use of septic tank for foul sewage, and to use the existing watercourse for surface water drainage. Members will note that the site is not located within Flood Zone 2 or 3. After receiving further information the Councils Countryside Officer has verbally confirmed no objections to the proposal.

In light of the above report, the application is recommended for approval, subject to a S106 agreement for a financial contribution to provisions of open space, recreation and leisure facilities.

**RECOMMENDATION:                      Approval**

1            The development hereby permitted shall be begun on or before .

Reason:- To ensure compliance with Section 51 of the Planning and Compulsory Purchase Act 2004

2            Before the development hereby permitted is commenced, or such longer period as may be agreed in writing with the Local Planning Authority, details and samples of the materials to be used on the exterior of the building the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure a satisfactory external appearance and to satisfy the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

3            Notwithstanding the details submitted, prior to the commencement of the development, details of all windows, doors and garage doors, including means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority

Reason: To ensure an appropriate appearance and to comply with the requirements of Policy SP20 of the Ryedale Local Plan Strategy.

4            Notwithstanding the provisions of Schedule 2, Part 1 of the Town & Country Planning (General Permitted Development) Order 1995 (or any Order revoking, re-enacting or amending that Order) development of the following classes shall not be undertaken other than as may be approved in writing by the Local Planning Authority following a specific application in that respect:

Class A: Enlargement, improvement or alteration of a dwellinghouse

Class B: Roof alteration to enlarge a dwellinghouse

Class C: Any other alteration to the roof of a dwellinghouse

Class D: Erection or construction of a domestic external porch

Class E: Provision within the curtilage of a dwellinghouse of any building or enclosure, swimming or other pool required for a purpose incidental to the enjoyment of a dwellinghouse or the maintenance, improvement or other alteration of such a building or enclosure

Class G: The erection or provision within the curtilage of a dwellinghouse of a container for the storage of oil for domestic heating

Glass H: Installation, alteration or replacement of a satellite antenna on a dwellinghouse or within its curtilage.

Reason:- To ensure that the appearance of the areas is not prejudiced by the introduction of unacceptable materials and/or structure(s).

- 5 The domestic curtilage associated with the dwelling hereby approved shall be restricted to the red line identified on the submitted block plan (date stamped 6 June 2014).

Reason: To satisfy the requirements of Policy SP20 of the Local Plan Strategy.

- 6 Notwithstanding the details submitted, before the commencement of the development hereby permitted, or such longer period as may be agreed in writing with the Local Planning Authority, full details of the materials and design of all means of enclosure shall be submitted to and approved in writing by the Local Planning Authority. Thereafter these shall be erected prior to the occupation of any dwelling to which they relate.

Reason:- To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality, as required by Policy SP20 of the Local Plan Strategy.

- 7 Before any part of the development hereby approved commences, plans showing details of landscaping and planting schemes shall be submitted to and approved in writing by the Local Planning Authority. The schemes shall provide for the planting of trees and shrubs and show areas to be grass seeded or turfed where appropriate to the development. The submitted plans and/or accompanying schedules shall indicate numbers, species, heights on planting, and positions of all trees and shrubs including existing items to be retained.. All planting, seeding and/or turfing comprised in the above scheme shall be carried out in the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of five years from being planted, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To enhance the appearance of the development hereby approved and to comply with the requirements of Policy SP20 of the Local Plan Strategy.

- 8 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 until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements:

(i) The details of the access shall have been approved in writing by the Local Planning Authority in consultation with the Highway Authority.

(ii) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6C;

(iii) Provision to prevent surface water from the site/plot discharging onto the existing or proposed highway in accordance with details that shall be submitted, and agreed in advance of the commencement of the development and maintained thereafter to prevent such discharges.

(iv) The final surfacing of any private access within 6 metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience.

- 9 There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of the extremities of the application site frontage with the highway in both directions from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05m and the object height shall be 0.6m. Once created, these visibility areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and in the interests of road safety.

- 10 No dwelling shall be occupied until the related parking facilities have been constructed in accordance with the approved drawing MSR 5 OF 5 (AS REVISED). Once created, these parking areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interests of safety and the general amenity of the development.

- 11 There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site, and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.

- 12 Unless approved otherwise in writing by the Local Planning Authority, there shall be no establishment on a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction of the site, until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:

(i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway

(ii) on-site materials storage area capable of accommodating all materials required for the operation of the site.

The approved areas shall be kept available for their intended use at all times that construction works are in operation. No vehicles associated with on-site construction works shall be parked on the public highway or outside the application site.

Reason:- In accordance with Policy SP20 of the Ryedale Local Plan Strategy and to provide for appropriate on-site vehicle parking and the storage facilities, in the interests of highway safety and the general amenity of the area.

13 The development hereby approved shall only be occupied by a person(s) who:

- Have permanently resided in the Parish, or adjoining parish, for at least three years and are now in need of new accommodation, which cannot be met from the existing housing stock;  
or

- Do not live in the Parish but have a long standing connection to the local community, including a previous period of residence of over three years but have moved away in the past three years; or service men or women returning to the parish after leaving military service;  
or

- Are taking up full time permanent employment in an already established business which has been located within the parish, or adjoining parish, for at least the previous three years;  
or

- Have an essential need arising from age or infirmity to move to be near relatives who have been permanently resident within the District for at least the previous three years.

Reason:- To meet the requirements of Policies SP2 and SP21 of the Ryedale Plan - Local Plan Strategy.

14 The development hereby permitted shall be carried out in accordance with the following approved plan(s):

Proposed Plan and Elevations Drg No. MSR 3 OF 5  
Block Plan Drg No. MSR 5 of 5

Reason: For the avoidance of doubt and in the interests of proper planning.

#### **INFORMATIVES:**

1 You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.

2 An explanation of terms used above is available from the Highway Authority.

- 3 Any water used for human consumption or the preparation of food which originates from a private water supply will be subject to the requirements of the Private Water Supplies Regulations 2009. Local Authorities are responsible for implementing these Regulations and as such, the Health and Environment Department at Ryedale District Council should be informed of any significant changes to a supply (e.g. the addition of a dwelling to the supply). Further information on the Private Water Supplies Regulations 2009 is available from the Council website.

**Background Papers:**

Adopted Ryedale Local Plan 2002  
Local Plan Strategy 2013  
National Planning Policy Framework  
Responses from consultees and interested parties