

RYEDALE DISTRICT COUNCIL

PLANNING COMMITTEE – 28<sup>th</sup> May 2015

Report of the Head of Planning

Home Farm, Cropton

Change of Use and alteration of outbuildings to form 1 no. two bedroom dwelling. Ref.  
09/00447/FUL

Purpose of the Report

To advise Members of an alleged breach of planning control and recommend an appropriate course of action.

1. SITE LOCATION

The site is located within the development limits of the village of Cropton. The building in question is located to the rear of Home Farm which is located on the eastern side of High Street. A plan showing the location of the site is appended to this report.

Planning permission was granted on 5<sup>th</sup> August 2005 for the abovementioned change of use and alteration of the outbuildings to form 1 no. two bedroomed dwelling Ref. 09/00447/FUL. The planning permission granted was subject of officer negotiations which resulted in some design changes to the scheme, most notably the omission of chimney stacks and their replacement with flues, the omission of one ground floor window and where rooflights were proposed that these would be ‘conservation’ style rooflights. A copy of the approved revised plan is also appended to this report for Members information.

2. ALLEGED BREACH OF PLANNING CONTROL

Insertion of rooflights and vents/flues on the northern roof slope of the building – not in compliance with the submitted forms.

3. WHEN ALLEGED BREACH FIRST OCCURRED

The Council was notified of the abovementioned complaint by a local resident on the 28<sup>th</sup> November 2014. The complainant was first visited by the Councils Planning Enforcement Officer on 16<sup>th</sup> December 2014 and an external inspection of the building confirmed 4 ‘rooflights’ in situ and an opening for a flue on the northern roofslope.

On 18<sup>th</sup> December 2014 a letter was sent to the site owner to arrange a meeting to undertake a more detailed inspection the outbuildings and a site meeting was held with the property owner on 13<sup>th</sup> January 2015.

At this meeting the owner advised the enforcement officer that the approved plans in fact showed flues on the north elevation the 'rooflight' windows were added for additional light.

A further inspection has revealed that the openings are not 'conventional' rooflights. The openings are fixed and contain an inner 'sun tube' which cannot be utilised as a conventional window. The openings are also located at a high level within the roof slope (in excess of 2 metres above internal floor level) which means there is no possibility of overlooking from the opening onto the adjacent site.

4. PLANNING POLICY CONTEXT

Policy SP2 Delivery and Distribution of New Housing

Policy SP12 Heritage

Policy SP16 Design

Policy SP20 Generic Development Management Issue

5. APPRAISAL

Planning permission was granted for the change of use of the outbuildings in 2009 under the former Ryedale Local Plan (Adopted 2002). The abovementioned Ryedale Plan - Local Plan Strategy policies are also relevant and in part repeat the policies contained in the earlier development plan. Policies SP16 and SP20 are of particular relevance and are appended in full for Members information.

Policy SP20 requires new development to respect the character and context of the immediate locality and that extensions and alterations to existing buildings will be appropriate and sympathetic to the character and appearance of the existing building in levels of scale, form and use of materials. New development is also required not to have a material adverse impact on uses or occupants of neighbouring land or the wider community.

In this instance the insertion of the single flue is not considered to be a breach of planning control, having been shown on the approved amended plans.

The 'rooflights / sun tubes' were not shown on the approved plan. However, they are small in scale and set at a high level in the roofslope. Their design is such that there is no adverse impact on any adjacent occupiers amenity arising from possible overlooking/ loss of privacy. The site is not located in a designated Conservation Area and the building is not afforded any other special protection. The northern roofslope of the building is not easily visible from the street scene although views of the roofslope can be seen from the rear of the village hall, approximately 15 metres further to the north of the site.

The design and appearance of the buildings as altered is therefore considered to be acceptable in planning terms.

Photographs of the building and its surroundings will be displayed at the meeting for Members information.

In this instance (whilst it appears that the development has taken place not strictly in accordance with the approved plans) it is considered to be acceptable in planning terms. It is not therefore expedient to pursue this matter any further

Recommendation

No further action to be taken in respect of this breach of control.

Background Papers

Ryedale Local Plan (Adopted 2002)  
Ryedale Plan - Local Plan Strategy (Adopted Sept 2013)  
Planning Application File 09/00447/FUL  
Investigation File 14/00096/CU

Head of Planning  
May 2015