

Item Number: 10
Application No: 17/01327/FUL
Parish: Terrington Parish Council
Appn. Type: Full Application
Applicant: Laidback Lucas Ltd
Proposal: External alterations to include erection of screen wall to east elevation together with erection of detached 1 bedroom managers dwelling following demolition of store building.
Location: Bay Horse Inn Main Street Terrington Malton North Yorkshire YO60 6PP
Registration Date: 2 November 2017
8/13 Wk Expiry Date: 28 December 2017
Overall Expiry Date: 12 January 2018
Case Officer: Emma Woodland **Ext:** 324

CONSULTATIONS:

Parish Council	No objection subject to condition
Environmental Health Officer	Await response
Highways North Yorkshire	Recommend conditions
Paul Jackson AONB Manager	Support

Neighbour responses: Mrs Janet Foster, Mrs Karen Eady, Mrs Anita Barber, Mr David Marsh, Keith Adkins & Jane Hanstock, Miss Kathryn Lazenby, Mr Angus Ferguson, Mrs C D Mackereth, Mr Ian Hughes,

SITE:

The Bay Horse in Terrington is a Grade II listed building located within the Terrington conservation area. As such, Ryedale District Council has a statutory duty to ensure that proposals preserve the character of the listed building and preserve or enhance the character or appearance of the conservation area.

The building is located in the middle of the village on the south side of the street set back from the road by a small grassed verge and vehicular access. The building sits in a slightly elevated position and is a prominent property within the village. A car park and garden for the pub is located to the rear of the pub and is accessed off South Back Lane. Both the southern boundary and the northern boundary of the plot have housing on both sides as the character of Terrington is a developed Back Lane. The site is located within the identified adopted Development Limits. The pub has been closed since 2011 and it is in need of refurbishment.

PROPOSAL:

The proposal includes a complete refurbishment of the ground floor bar area, kitchen, toilets and dining areas. Proposals for the first floor re-configure the space to remove the existing manager's accommodation and propose 4 en-suite letting rooms and a private dining area. A new, 1 bedroom manager's accommodation is proposed in the existing carpark on the site of an existing store building.

RELAVENT HISTORY:

17/01043/LBC- Internal and external alterations to include formation of bar/kitchen at ground floor level, letting rooms at first floor level and erection of screen wall to east elevation together with demolition of store building. This application has been approved under Officers delegated powers.

POLICY:

Terrington is identified as an 'other village' in the Ryedale Plan which states under Policy SP1 that development will be restricted to that which is necessary to support a sustainable, vibrant and health community.

The policies under which this application is assessed are:

SP1- General Location of Development
SP2- Delivery and Distribution of New Housing
SP11- Community Facilities and Services
SP12- Heritage
SP13- Landscapes
SP16- Design
SP19- Presumption in Favour of Sustainable Development
SP20- Generic Development Management Issues

APPRAISAL:

It is considered that the works to re-furbish the pub cause some minor harm to the special interest of the listed building in that there is some loss of internal historic fabric. The fabric however is generally plain masonry with no distinguishing architectural features and therefore the degree of harm can be assessed as at the low end of less than substantial harm. The removal and replacement of all the windows in the public house will cause harm to the special interest of the listed building and it has been agreed with the applicant's agent that this will not take place and a condition requiring a window-by-window survey should be submitted and agreed. The proposed 800mm high screen wall is located on an area of existing flat roof and it is considered that this will not have a material adverse impact on the special interest of the listed building. According to paragraph 134 of the NPPF where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. It is considered in this case that the beneficial re-use of the empty building continuing as a public house with letting accommodation will significantly outweigh the less than substantial harm identified to the listed building.

The public house is considered to be a community facility and as such, the expansion and refurbishment of it is supported under Policy SP11. Proposals have been developed in consultation with Environmental Health Specialists to minimise noise and disturbance to neighbouring properties. In addition, it is considered that the proposed 800mm high screen wall to the eastern edge of the flat roof is acceptable and will not have a material adverse impact on the amenity of the occupiers of neighbouring property. It is noted that the larger part of the adjacent residential curtilage is located further to the south and east of this boundary.

It is understood that the business model to ensure the future of the pub involves maximising the internal accommodation within the main building as letting rooms. The re-configured accommodation replaces a manager's flat. Thus the proposed manager's accommodation is required in this application as a result of this displacement. A formal letter regarding the business model and justification for the additional manager's accommodation has been submitted and is appended to this report.

The manager's accommodation replaces an existing modern store building on the southern boundary of the car park. The existing store building measures c.8.5m long and c.5.8m wide. It is considered that the store building makes no positive contribution to the character of the conservation area and that there is no objection to its removal.

The proposed manager's accommodation is located to the rear of an existing bungalow that fronts onto South Back Lane. The construction of a new dwelling behind an existing dwelling is not a traditional part of the character of the conservation area and does cause some limited degree of harm to the character of the conservation area. The scale and traditional design of the building gives the appearance

of an ancillary outbuilding. The presence of neighbouring buildings in a similar alignment is also considered to mitigate these harmful effects. It is considered that the harm can again be assessed as the low end of 'less than substantial' harm. As stated earlier according to paragraph 134 of the NPPF where the development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal including securing its optimum viable use. It is considered in this case that the removal of the utilitarian store building and the facilitation of the beneficial re-use of the empty listed building within the conservation area continuing as a public house will clearly outweigh the less than substantial harm identified to the conservation area.

The proposed manager's accommodation is in the same location as the store building and measures c.10.8m long and c.5.4m wide with a ridge height of c.4.9m and an eaves height of c.2.5m. It is proposed to be constructed from stone with a pantile roof and painted timber doors and windows. All windows and doors in the proposed accommodation are located in the eastern or northern elevation of the building which face into the existing carpark. 2 rooflights are located in the western roofslope to light a proposed bathroom and internal lobby area to the bedroom. The building as amended has been designed with the proportions, materials and detailing to reflect the local vernacular and it therefore complies with Policy SP16.

The re-opening of The Bay Horse Inn is considered to be a benefit to the wider community. It is considered that the application will support a sustainable, vibrant and healthy rural economy and provide a community facility and therefore can be supported under Policy SP11. Whilst the new manager's accommodation does not strictly comply with Policy SP2 which relates to new housing, the requirement for on-site manager's accommodation is considered to be an important factor in the business model of the inn and in this case is supported by Officers in terms of the overall planning balance.

The manager's accommodation has been carefully designed to minimise impact on neighbouring properties and it is considered that the scale, proportions and detailing are appropriate to the character of the conservation area. The new accommodation will necessitate the removal of 3 small trees. These however are considered to be very poor specimens and they do not contribute to the character of the conservation area. Augmented boundary screening is proposed along the western edge of the carpark to mitigate the loss of the greenery. North Yorkshire County Highways recommend conditions regarding car parking which are included within this report.

The proposal is located in the centre of the village in an existing built up area and will not detract from the natural beauty of the Howardian Hills Area of Outstanding Natural Beauty. There are no wider impacts on the AONB landscape and the application has been supported by the AONB manager. The proposal therefore complies with Policy SP13. The Parish Council have no objections to the manager's accommodation but would wish to see it tied to the pub - which is recommended as a condition included within this report.

Other Matters Including Consultation Responses

A number of neighbours have objected to the application, specifically the manager's accommodation, on the grounds that it will have an adverse impact on their amenity. The two neighbours immediately adjacent to the proposed manager's accommodation are located c. 7.5m to the south with a garage block in between and c. 2m to the west on rising ground with a boundary/retaining wall separating them. Officers are of the opinion that the general proposed mass and position of the building is similar to that of the existing store. The lawful use of the existing storage building may have had some amenity impact and its demolition and replacement and any resulting additional material impact is considered by officers to be minimal. In addition, the adjacent neighbours' garage to the south will act as a significant screen to the development. The eastern elevation of the neighbouring building to the west is not a principle elevation and is a side gable with few windows in an elevated position. It is considered that the small size of the proposed accommodation as a 1 bedroom unit and the sensitive design of the accommodation with respect to overlooking windows will satisfactorily mitigate these concerns. It is considered that the accommodation would not prejudice the continued operation of neighbouring land uses which are also residential. It is also considered that the proposed manager's accommodation will

not have a material adverse impact on the amenity of present or future occupants, the users or occupants of neighbouring land and buildings or the wider community by virtue of its design, use, location and proximity to neighbouring land uses. It is recommended however that the use of the manager's accommodation is tied by condition to the use of the public house.

This application has been carefully considered by Officers and is considered to comply with Policies SP1, 11, 12, 13, 16, 19 and 20.

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 The development hereby permitted shall be carried out in accordance with the following approved plans:

16/1514 DWG 01 Rev A, 16/1514 DWG 04 Rev B, 16/1514 DWG 07, 16/1514 DWG 05 Rev C, 16/1514 DWG 08, 16/1514 DWG 06

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

3 Within 12 months of the commencement of the development hereby permitted, or such longer period as may be approved in writing by the Local Planning Authority, the proposed boundary screening shall be planted on the eastern and western carpark boundary of the site in accordance with details to be submitted for the written approval of the Local Planning Authority.

Reason: To ensure that the development does not prejudice the enjoyment by the neighbouring occupiers of their properties or the appearance of the locality.

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

Class 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 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 including rainwater goods the subject of this permission shall be submitted to and approved in writing by the Local Planning Authority.

Reason: For the preservation of the conservation area.

- 6 Prior to the commencement of the development hereby permitted, the developer shall construct on site for the written approval of the Local Planning Authority, a one metre square free standing panel of the external walling to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed.

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

- 7 Prior to the commencement of the development, details of all windows, and doors including cross sections and means of opening, depth of reveal and external finish shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To preserve the character of the conservation area.

- 8 The 1 bedroom manager's dwelling hereby permitted shall be used only insofar as it forms an annexe/extension to the property currently known as The Bay Horse Inn, and shall at no time be occupied as a separate or self-contained dwelling unit or sold or leased separately from the property currently known as The Bay Horse Inn.

Reason: The site is not considered to be large enough to accommodate an additional dwelling.

- 9 Notwithstanding the provision of any Town and Country Planning General Permitted or Special Development Order for the time being in force, the areas shown on drawing 16/1514 08 for parking spaces, turning areas and access shall be kept available for their intended purpose at all times.

Reason: In accordance with Policy SP20 and to ensure these areas are kept available for their intended use in the interests of highway safety and general amenity of the development.