

Item Number: 9
Application No: 20/00643/FUL
Parish: Foston Parish Council
Appn. Type: Full Application
Applicant: C S Snowdon
Proposal: Change of use and alteration of agricultural barn to form 2no. two/three bedroom self contained holiday lets with use of adjacent disused stone barn as an associated bin store and bicycle storage together with parking and amenity areas
Location: Partridge Hill Main Street Foston Malton YO60 7QG
Registration Date: 22 July 2020 **8/13 Week Expiry Date:** 16 September 2020
Case Officer: Ellie Thompson **Ext:** 43326

CONSULTATIONS:

Historic England	No objection
NYCC Natural Services	Recommend condition
Public Rights Of Way	
Yorkshire Water Land Use Planning	
Environmental Health	
Foston Parish Council	
Highways North Yorkshire	Recommend conditions
Foss Internal Drainage Board	Recommend condition
Archaeology Section	No objection

Representations: Mr Tony Taylor, Mr Michael Sparrow,

Overall Expiry Date: 30 September 2020

Site

The application site is at Partridge Hill on the eastern edge of Foston. The buildings which are the subject of the application are agricultural buildings situated in a field, on rising land to the north of the road. They are currently accessed off the Foston Grange farm track which leads from the main road to the Foston Grange farm complex which is located approximately 370 metres to the north of the site. There is also a further farm/field access track from the main road and across the field to the buildings.

A single story dwelling, Partridge Hill is located approximately 67 m to the south east of the agricultural buildings. The application site and nearby bungalow, together with adjacent farmland are part of the Foston Grange Farm business/ holding. It is understood that the bungalow known as Partridge Hill is rented to a third party on a short term assured tenancy basis.

The buildings which are the subject of the application include a large modern agricultural building constructed of blockwork and sheet metal panels with a corrugated steel roof and a small traditional stone and pantile field barn. The buildings are located immediately adjacent to each other. The larger modern building is currently used for the storage of grain and machinery. A triangular yard area of concrete and tarmac is located to the east of the modern building at the end of the existing access track.

The majority of the application site is located immediately adjacent to the eastern end of the Scheduled Monument of the Foston medieval settlement and moated monastic grange which covers a relatively large area around the village. A small part of the eastern part of the site which equates to the gravel/yard area adjacent to the existing buildings is within the scheduled area. In addition, the access track to the buildings crosses the scheduled monument from the main road to the south.

The site is situated between two Public Rights of Way. A footpath is located to immediately to the west of the buildings, leading from the Church, northwards in the direction of Foston Grange and a further footpath is located to the east of the site running from the road, northwards along the route of the access track to Foston Grange.

Planning History

11/00573/AGNOT – Erection of agricultural building for storing grain and machinery

Proposal

The application proposes the conversion of the modern agricultural building into residential use for two units of self-contained holiday accommodation and the conversion of the smaller traditional farm building to provide associated bin store and cycle storage. **The modern building measures approximately 18m in length and 9m in width and is just over 6m in height to the ridge. The traditional building is just under 9m in length, 4 m in wide and approximately 3m high.**

The proposed conversion of the modern agricultural building involves the subdivision of the building into the two, two storey, 3 bedroom units. The proposal includes the introduction of large sections of glazing on the southern elevation of the building set in grey powder coated aluminium frames. The proposed roofing material is proposed as grey powder coated steel and the external walling is proposed as painted existing blockwork and vertical timber board on board cladding. Timber window louvre sections are also proposed to several of the glazed sections.

The scheme also includes the creation of two terrace areas to serve each of the proposed units. One terrace will extend along the eastern elevation of the building **and measures approximately 8.8m by 2.7m**. The other is located on the southern elevation of the building between the western boundary of the site and the traditional stone farm building. **It measures approximately 5.6m by 3m**. Both terraces are proposed to be defined by perimeter raised planters.

Vehicular access is proposed from the main road, using an existing farm access and track. Two car parking spaces are to be sited on an existing area of hardstanding to the east of the modern building. A gravel surface is proposed for the car parking area and access track. In addition, a gravel path is proposed around the southern elevation of the modern building to link the proposed car parking area to proposed unit in the western side of the building.

The proposal includes some boundary landscaping in the form of mixed species hedging and the retention of an existing post and rail fence around the perimeter of the site.

The applicant has confirmed that the proposal is a farm diversification project which will help to diversify the farm's income stream.

Consultation

The position of statutory consultees is summarised on the report cover sheet and addressed in relevant sections of the report.

Two letters of support have been received from the occupiers of properties on Main Street. The issues raised are summarised as follows:

- Welcome the development
- Should be a condition of approval that the two trees to the south and east of the structure are maintained
- An excellent and productive use of an underutilised farming asset
- The position of the building on the outskirts of the residential area of the village will be a means of showcasing the beauty and amenities of the surrounding countryside without detriment to or interference with the residents of the village.

Policy Context and Decision Making Principles

Section 38(6) of the Planning and Compulsory Purchase Act 2004 confirms that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan

The following policies of the Ryedale Plan - Local Plan Strategy are relevant to the assessment of the application:

- Policy SP1- General Location of Development and Settlement Hierarchy
- Policy SP8- Tourism
- Policy SP9- The Land Based and Rural Economy
- Policy SP12 – Heritage
- Policy SP13 - Landscapes
- Policy SP14 - Biodiversity
- Policy SP16 – Design
- Policy SP20 - Generic Development Management Issues

Additional Policy Documents

- National Planning Policy Framework (NPPF).
- National Planning Practice Guidance

Appraisal

The main issues raised by the applications are considered in turn below.

Principle of Development

The proposed development conflicts with policies of the Development Plan in principle. In wider open countryside locations and specifically, Policy SP8 (Tourism) supports the conversion of traditional rural buildings for tourist accommodation.

Whilst the application is specifically for tourist accommodation and not permanent residential accommodation, this nevertheless represents a residential/dwelling house use (albeit with restricted occupancy in many cases). Given that the specification of the proposed units is a level of accommodation that is significantly different to other forms of tourist accommodation, including chalets and caravans, it is worth noting that Policy SP2 (Delivery and Distribution of new housing) establishes a similar policy principle to SP8. It establishes that new residential development outside of the settlements and within the countryside is restricted to the conversion of traditional rather than modern buildings where this would lead to an enhancement to the immediate setting. Therefore, whilst the development plan is supportive in principle, of the conversion of traditional rural buildings for tourism and residential uses, this policy support does not extend to the conversion of modern farm buildings to such uses. It is appropriate to reflect on the reason why the development plan does not support the development proposed in principle. Members will be aware that the local policy support afforded to the conversion of traditional buildings is very much based on a recognition that traditional buildings reflect local vernacular and are integral to the character of the rural landscape often using locally sourced stone and employing distinctive local build features.

Such buildings are considered to make a positive contribution to the character and appearance of the rural landscape. The sensitive conversion of traditional buildings ensures that such buildings are retained, when they have exhausted their purpose in an agricultural context, and their retention in the landscape is a means of protecting important elements of the landscape character. The approach also helps to ensure that as well as retaining these buildings, they are given new uses when their use within a farming context has become defunct, as part of rural diversification. This is a positive way in which to provide choice in the visitor accommodation, whilst retaining those buildings which are part of Ryedale's farming heritage and integral to its rural landscape.

Modern agricultural buildings are utilitarian structures which whilst part of any rural scene, are not considered to make a positive or locally distinctive contribution to the landscape. Understandably however, modern farm buildings have become an increasing visual presence within the rural landscape in response to modern farming activities. Therefore in establishing the policies of the Development Plan, 'in principle' policy support for the conversion of modern agricultural buildings to tourism accommodation and indeed residential use was not considered to represent sustainable development for this area, both in terms of local circumstances or national policy read as a whole. The character of the rural landscape would alter dramatically if the conversion of modern

farm buildings were to be acceptable in principle. It is an approach which could also potentially result in traditional buildings becoming less attractive for conversion – to the detriment of the landscape. Members are reminded that it is for this reason that the development plan does not provide policy support in principle for the conversion of modern farm buildings for residential/ tourist accommodation in open countryside locations.

By way of context, the National Planning Policy Framework (Paragraph 79) supports in principle, the reuse of redundant or disused buildings in the countryside to residential use where this would enhance a buildings immediate setting. National Policy does not distinguish between modern or traditional rural buildings. However, it should be noted that Ryedale’s development plan policy was considered to be consistent with this aspect of national policy and an appropriate local policy response when the plan was prepared and examined. This part of national policy as not changed following the 2018 revisions to the NPPF. Against this context, it is considered that national policy, as a material consideration in the decision making process would not override the adopted development plan and the primacy afforded to the development plan in the decision- taking process under paragraph 38(6) of the Planning and Compulsory Purchase Act 2004 .

The applicant’s agent has reminded the Local Planning Authority that permitted development rights exist which support the conversion of farm buildings into dwelling houses and that these do not distinguish between modern or traditional farm buildings. It should be noted that these permitted development rights do not extend to sites which contain Scheduled Monuments. This is the case with the application site area and it is therefore considered that this is not a fall-back position that would apply in this case or a matter which would outweigh the provisions of the adopted development plan. In addition, whilst the Council has received applications through the permitted development right process for such conversions, many modern buildings do not comply with PD requirements, as evidenced by a recent appeal decision at Burythorpe on the last item of this agenda.

In principle, the conversion of the small traditional building on the site would not conflict with the **policies** of the adopted development plan.

Design and Landscape Impact

The main building which is the subject of the application is a relatively large steel framed and clad modern farm building. It is set on rising land on the edge of the village and is visible from the main road and from the Public Rights of Way that are adjacent to and near the site. Together with the significantly smaller traditional building, the buildings occupy a relatively isolated position within a field.

The landscape character of the locality and the immediate setting of the building group is rural and typical of the transitional landscape character of the part of District where the Vale of York and Howardian Hills landscape character areas broadly meet. Agricultural land uses, including pasture and arable farming; with dispersed farmsteads and associated farm buildings set on higher, rolling undulating fields with a quiet rural character are key elements of the local landscape.

The conversion proposals will result in little intervention or change to the external appearance of the small traditional building. Existing openings are to be utilised and the scale and form of the building will remain unchanged. This element of the application is consistent with policies of the development plan that seek to ensure the sensitive conversion of traditional buildings in so far as the overall structure is retained.

The dominant element of the proposal is the proposed conversion of the much larger modern farm building. The proposed scheme would ensure that the scale, mass and form of the building would remain unchanged. The main changes in the appearance of the building would primarily arise as a result of the insertion of large sections of glazing to each of the external walls, the timber cladding and window louvres/timber panels. The resulting design is considered to have some modern aesthetic quality.

Notwithstanding this, it is important that the proposed design is appropriate in terms of its context and setting within the landscape. Policy SP13 seeks to protect and enhance landscape character and makes it clear that development proposals should contribute to the protection and enhancement of distinctive elements of landscape character. Policy SP16 makes it clear that new development should be well integrated with its surroundings and that it should reinforce local distinctiveness. Similarly, SP20 aims to ensure that new development respects the character and context of the immediate locality and surrounding area and aims to ensure that alterations to buildings are appropriate and sympathetic to the character and appearance of the existing building. The retention of the shape and profile of the building and use of specific materials, including timber boarding, blockwork and steel roofing are retained references to the buildings current agricultural use and position within the rural landscape. However, the proposed glazing would significantly change the appearance and character of

the building, as glazing is not a feature of agricultural buildings. It would not reinforce the local distinctiveness of rural buildings in the rural landscape, indeed it would undermine it. The building would appear as a 'hybrid' - no longer readily understood and legible in the rural landscape. Indeed, given the modern materials of the structure, there is little to distinguish the proposed conversion from that of a modern commercial or industrial unit which one may expect to see on a rural industrial estate. Moreover, the visually dominant sections of glazing would result in a building which draws the eye, appears visually prominent and incongruous in its immediate setting and in the wider landscape. It will be particularly intrusive at night when spaces within the building are internally lit. The prominent position and scale of the building will further reinforce the resulting intrusion in the landscape and the impact on the rural appearance and character of the landscape, including its nocturnal character and appearance. Clear views of the building are achieved from the road and the public rights of way that are adjacent to and near to the site.

The proposed development also includes areas for car parking and two sections of terraces. The proposal utilises existing areas of hardstanding for car parking and both terraced areas are limited and modest in size and located immediately adjacent to the buildings at the site. Whilst the limited extent of these areas help to mitigate the landscape impact of ancillary areas associated with the proposal, some adverse landscape impact will occur. Perimeter planters are proposed to define these spaces, but such landscaping is fundamentally domestic in appearance. It is also not unreasonable to assume that a range of paraphernalia including hot tubs, garden furniture and children's play equipment could occupy these spaces, and being movable- are not capable of being controlled. The inevitable domestication of the immediate setting of these relatively isolated buildings would not enhance the rural character and pastoral qualities of the setting of the buildings or the surrounding landscape, but would detract from it.

The proposed access is an existing field access with the extent of any surface construction, overgrown by grass. The proposed gravel track across the field will be visually noticeable and intrusive. It will penetrate the rolling pastoral field which in its existing state is visually appealing and forms a strong element of the landscape character of this part of the edge of the village. The proposed gravel access track across the field would be harmful to the current appearance and landscape character of the locality.

Policies SP13 and SP20 of the Local Plan Strategy also recognise that the character of an area and landscape, can also be altered and harmed by the introduction of activity which alters the ambience of an area. Although the application site is on the edge of the hamlet, the immediate landscape setting of the application site is a quiet rural field, set in a relatively isolated position and also some distance from the activity associated with the main farm complex. The introduction of activity associated with the holiday lets has the potential to result in increased outdoor activity and noise that would be harmful to the quiet rural character of the immediate locality. In this respect the proposal is also considered to conflict with Policies SP13 and SP20 of the Local Plan Strategy.

In summary, the appearance of the building and associated ancillary spaces would detract from the rural character and visual qualities of the landscape, including its nocturnal character and ambience. In this respect the proposed development would be harmful to the elements of landscape character in this locality. It would not reinforce local distinctiveness, in terms of design and landscape character, in conflict with Policies SP13, SP16 and SP20 of the Local Plan Strategy.

The harm to landscape character which arises as a result of the proposal is considered to weigh significantly against the proposal.

Heritage

The buildings that are the subject of the application are located on the edge of the Foston Medieval Settlement and Moated Monastic Grange Scheduled Monument. The buildings form part of the immediate setting of the heritage asset. The access track and areas of existing hard standing are located on the monument itself.

Members should be aware that national policy makes it clear that Scheduled Monuments are heritage assets which are considered to be of the highest significance. National policy makes it clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the assets conservation. Harm to or loss of the significance of a designated heritage asset, from alteration, destruction or development within its setting should require a clear and convincing justification. The policy approach to the protection of heritage assets in national policy is included within Policy SP12 of the Local Plan Strategy.

The application is supported by a Heritage Statement. The material provided outlines the extent of the proposed works on the monument itself – notably the resurfacing of the area of hardstanding to the east of the building's and the resurfacing of the access track, on an existing layer of hard core (currently overgrown). It should be noted that

Scheduled Monument Consent is required for these works and this will control the depth of any excavation for resurfacing. Historic England has confirmed that it has no objection to the proposals and that it is content with the conclusions of the Heritage Statement and consider that the proposed works will have little impact on the significance of the Scheduled Monument. The County Archaeologist has confirmed no objection to the proposals, noting that they relate to repairs and alterations to existing buildings and access tracks and is of the view that the proposed works will have a negligible impact on the designated heritage asset.

Officers do not dispute the conclusions of Historic England or NYCC in terms of any direct physical impact on the designated asset. It should be noted however that the monument is set in a rural landscape and that this provides an aesthetic quality and value which contributes to its significance as a heritage asset. The Heritage Statement takes the view that the proposed works to the building's in the setting of the asset would mean that they would not appear overly domesticated and that their agricultural appearance would be retained which would result in a neutral impact on the significance of the asset. Officers do not share the view that proposed development would not lead to some domestication the setting of the asset. As outlined in the landscape section of this report, it is considered that the proposed development would result in the modern building losing its agricultural appearance as well as changes, including the terraced areas which would domesticate the immediate setting of the buildings and the heritage asset. Following the argument in the Heritage Statement, it is considered that this would result in more than a neutral impact on the heritage asset but that it would therefore result in some harm which would be at the lower end of less than substantial in scale. It is recognised that the access track across the site, on the heritage asset follows the route of an existing track to the smaller traditional building. Although this has largely been lost in the landscape over time, its reinstatement will intrude on the existing pastoral and aesthetic quality of the field and the extent to which these contribute to the significance of the asset.

It is considered that in heritage terms, this harm has the potential to be outweighed by the public benefit which would result if the diversification project assisted in providing a sustainable future for the farm **and the continued land management of this part of the scheduled monument.**

It is considered that the conversion and retention of the traditional farm building would not detract from or harm the significance of the scheduled monument.

Protected Species

NYCC's Ecologist has advised that the modern agricultural building is unlikely to be suitable for bats and that on that basis no species survey is required. The ecologist has noted that the walls and roof of the smaller traditional building are well sealed and is of the view that this building is unlikely to support roosting bats and that there is only a small risk that bats would be present. A condition is recommended to address this if this occurs.

Economic Considerations

The Applicant has made it clear that the application has been made as a farm diversification project to support the existing farm business and to help to secure its future. The applicant has cited uncertainties with Brexit, changes to farming subsidies and erratic weather/climate changes affecting harvests as some of the reasons behind the need to diversify income stream. The applicant estimates that the proposed development would yield an income of approximately 25% of the farms turnover. The proposal would also complement an existing holiday cottage let at the farm (at Foston Grange) and would enable the applicants to provide high quality/specification accommodation to a wider groups of guests, including those with ground floor bedroom requirements. The applicant has indicated that the scheme may result in the ability to employ a member of staff to assist with the running of the holiday accommodation.

Policy SP 8 seeks to support the provision of a range and choice of quality tourist accommodation across the District. The proposal would contribute to Ryedale's visitor economy which is an important element of the wider economy of the District. Policy SP9 provides support for appropriate farm and rural diversification activity. The proposal is consistent with the policy provisions of Policies SP8 and SP9 which are aimed at supporting the visitor and land based economy. In this respect, the economic benefits weigh in favour of the proposal.

Residential Amenity

Although the buildings occupy a relatively isolated position within the field, they are within 67 m of the property known as Partridge Hill. The nearest other residential property at the eastern end of the village is the Coach House which is approximately 120m from the application buildings. Although Partridge Hill is within the applicant's ownership, it is currently leased to and occupied by a third party.

The development proposed is of a size/specification which could mean that the proposed accommodation is occupied by large family groups or other groups of people. The use of accommodation capable of providing for larger groups celebrating specific events is increasingly common within the visitor economy. There is concern that the noise and activity that could arise from the use of the outdoor spaces or indeed the wider field could not be easily controlled. Noise and activity arising from outdoor games, music and socialising would be particularly noticeable in this area which currently experiences low ambient noise levels. The application is not accompanied by any information which would demonstrate how noise and disturbance could be successfully managed or mitigated. In this respect, the proposal has the potential to result in a significant adverse impact on the residential amenity of the occupiers of nearby residential properties and in particular the occupiers of Partridge Hill, in conflict with Policy SP 20 of the Local Plan Strategy.

Highways

The Local Highway Authority (LHA) has noted that the access to the development site is currently unmade at its connection to the public highway. If members are minded to approve the application, the Local Highway Authority would require this access to be improved to reflect the intended use. The LHA has recommended conditions to this effect.

Drainage and Sewerage

The application confirms that foul sewerage will be dealt with by means of a package treatment plant and surface water drainage by means of a soakaway. If members are minded to approve the application, the Internal Drainage Board has recommended that a scheme for the provision of surface water drainage works is agreed prior to the development being brought into use.

Occupancy restrictions

If members are minded to approve the application, a condition will need to be applied to restrict the occupancy of the units for holiday letting in accordance with Policy SP21 (Occupancy Restrictions).

Conclusion

The benefits of the proposal include the retention of the small traditional building and the contribution that the proposed development would make to the farm business as a diversification scheme. The two proposed units would also make some contribution to the visitor economy. However, it is considered that these benefits are not sufficient to outweigh the harm to the character and appearance of the rural landscape and to local residential amenity as a result of the development proposed.

RECOMMENDATION: Refusal

1. The development proposed conflicts with Policy SP8 of the Ryedale Plan – Local Plan Strategy in principle and the material considerations are as such that they are not considered to outweigh the conflict with the development plan and would not justify a departure from the adopted development plan in this case.
2. The design of the proposed development would fail to reinforce local distinctiveness and would result in a building which would appear incongruous in the rural landscape. The development would fail to enhance its immediate landscape setting and would result in harm to the character and appearance of the rural landscape which includes a scheduled monument and the setting of a scheduled monument, in conflict with Policies SP12, SP13, SP16 and SP20 of the Local Plan Strategy.
3. The proposed development is positioned in a quiet rural area with low ambient background noise levels. The nature and type of activity and noise that could, not unreasonably, arise as a result of the use proposed would have a significant adverse impact on the prevailing quiet rural character of the area and on the residential amenities of the occupiers of the property known as Partridge Hill and other properties in the locality. This would be contrary to Policy SP20 of the Local Plan Strategy.

PLANNING COMMITTEE

27 October 2020