

Item Number: 14
Application No: 21/00457/FUL
Parish: Terrington Parish Council
Appn. Type: Full Application
Applicant: Mr Martin Bridge (Laidback Lucas Limited)
Proposal: Erection of 1no. two bedroom managers dwelling
Location: Bay Horse Inn Main Street Terrington Malton YO60 6PP

Registration Date: 11 March 2021
8/13 Wk Expiry Date: 6 May 2021
Overall Expiry Date: 5 May 2021
Case Officer: Emma Woodland **Ext:** 43324

CONSULTATIONS:

Yorkshire Water Land Use Planning	Recommend conditions
Terrington Parish Council	Comments
Highways North Yorkshire	Recommend conditions

Representations: Miss Kathryn Lazenby, Mr Keith Adkins, Mrs Christina Dona Mackereth, Mrs Janet Foster,

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 setting 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 currently under refurbishment.

PROPOSAL:

The proposal is for a new, 2 bedroom manager's accommodation proposed in the existing carpark on the site of a former store building. The drawings have been revised to include landscaping and drainage details.

RELEVANT 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 was approved under Officers delegated powers.

17/01327/FUL-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. Approved at Planning Committee.

POLICY CONSIDERATIONS:

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:

The application has a large number of similarities to that part of the 2017 approved application, which included the manager's accommodation. The principle difference is that the 2017 approved manager's accommodation was previously a 1 bedroom dwelling and it is now proposed as 2 bedroom. A letter justifying this additional bedroom, which also details the recent history of the pub closure and business case, has been submitted with this application. A comparison of the proposed and approved plans of the building (approved plan 16/514/01A) show that the principle difference is a c.1m increase in width of the accommodation.

The public house is considered to be a community facility and as such, the expansion and refurbishment of it is supported under Policy SP11. 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 managers flat. Thus the proposed manager's accommodation is required in this application as a result of this displacement. The need for this application concerns an additional bedroom and a slight increase in the size of the new dwelling.

The manager's accommodation is proposed on the site of a now demolished modern store building on the southern boundary of the car park. The recently removed store building measured c.8.5m long and c.5.8m wide. It was previously considered that the store building made no positive contribution to the character of the conservation area and that there was 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 however, gives the appearance of an ancillary outbuilding and 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. According to paragraph 196 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 previously approved dwelling and measures c.10.8m long and c.6.4m wide with a ridge height of c.4.4m 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. This is c.1m wider than the approved dwelling, and the same length as the approved dwelling. The ridge is proposed to be c. 0.50m lower than the approved dwelling. 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 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. It is considered that the very small increase in width from the approved scheme will have a minimal impact and is acceptable in design terms. Augmented boundary screening is proposed along the edges 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. Drainage details have been submitted which show proposed use of existing systems within the car park of the pub.

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 principle has previously 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 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 2 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. Consultation responses seek to delay the building of the Managers Accommodation until the pub has opened. It is considered that any concerns regarding future use of the dwelling can be dealt with by condition and it is recommended that the use of the manager's accommodation is tied by condition to the use of the public house.

One consultation response relates to clarification regarding a detail within the previous application which included works to the principle pub building. The comment regarded a boundary screen wall that was proposed to attenuate any noise from the pub. The previous permission is still extant and this proposal does not affect the approved screen wall.

Other consultation responses relate to boundary screening. A plan showing this has now been submitted and conditioned.

Other consultation responses relate to drainage details which have now been supplied.

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

Local Plan Strategy -Policy SP1 General Location of Development and Settlement Hierarchy

Local Plan Strategy - Policy SP2 Delivery and Distribution of New Housing

Local Plan Strategy -Policy SP11 Community Facilities and Services

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP19 Presumption in Favour of Sustainable Development

National Planning Policy Framework

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: 256-02-03B Rev B dated 30-05-2021, 256-02-02A rev A dated 30-05-2021

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

3 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 considered unsuitable for the establishment of a separate self-contained dwelling unit because of the degree of detriment to the amenities of surrounding residential properties that would arise.

4 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.

5 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).

- 6 Before the walling up of the facing material 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: To preserve the conservation area and comply with Policy SP12 of the Ryedale Plan

- 7 Prior to the walling up of the facing material, 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 and mortar to be used in the construction of building. The panel so constructed shall be retained only until the development has been completed

Reason: To preserve the conservation area and comply with Policy SP12 of the Ryedale Plan, the Local Plan Strategy

- 8 No dwelling must be occupied until the related parking facilities have been constructed in accordance with the details approved in writing by the Local Planning Authority. Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason: To provide for adequate and satisfactory provision of off-street accommodation for vehicles in the interest of safety and the general amenity of the development in accordance with Policy SP20 of the Ryedale Plan.

- 9 The site shall be developed with separate systems of drainage for foul and surface water on and off site. The separate systems should extend to the points of discharge to be agreed. (In the interest of satisfactory and sustainable drainage). There shall be no piped discharge of surface water from the development prior to the completion of surface water drainage works , details of which will have been submitted to and approved by the Local Planning Authority . If discharge to public sewer is proposed, the information shall include, but not be exclusive to:-
- a) Evidence to demonstrate that surface water disposal via infiltration or watercourse are not reasonably practical ;
 - b) Evidence of existing positive drainage to public sewer and the current points of connection; and
 - c) The means of restricting the discharge to public sewer to the existing rate less a minimum (30)% reduction, based on the existing peak discharge rate during a 1 in 1 year storm event, to allow for climate change.

Reason: To ensure that no surface water discharges take place until proper provision has been made for its disposal and in the interest of sustainable drainage)