

Item Number: 14
Application No: 19/00279/FUL
Parish: Allerston Parish Council
Appn. Type: Full Application
Applicant: Mr Garry Martin
Proposal: Change of use and alteration of stable building to a one bedroom holiday let and siting of 5no. one bedroom shepherd huts for self-contained holiday accommodation with associated parking spaces
Location: Turgate Farm Weasdale To Partings Farm Allerston Pickering YO18 7PJ
Registration Date: 11 March 2019
8/13 Wk Expiry Date: 6 May 2019
Overall Expiry Date: 24 April 2019
Case Officer: Alan Goforth **Ext:** Ext 43332

CONSULTATIONS:

Yorkshire Water Land Use Planning	No response received
Allerston Parish Council	No objection
Highways North Yorkshire	No objection
Building Conservation Officer	Requested clarification on lighting, landscaping and ground surfacing
Building Conservation Officer	No concerns

Neighbour responses: Mrs Penelope Penny, Mr & Mrs Stockhill,

SITE:

The application site amounts to 0.7 hectares and comprises the southern part of the farmstead of Turgate Farm in the village of Allerston. The site is located outside of the village development limits and within the Conservation Area and the Fringe of the Moors Area of High Landscape Value. Access is gained off Main Street (B1415) to the east. The site is located in flood zone 3 and is adjacent to Allerston Beck which is approximately 40 metres to the south west.

The main dwelling, the applicant's property, stands alongside other traditional farm buildings in a courtyard arrangement to the north of the application site adjacent to the A170. There is an existing holiday let (The Granary) owned and operated by the applicant which stands to the west of the courtyard.

The nearest residential properties outside of the application site are those on Manor Close 15 metres to the east, Harewood House 25 metres to the south and Turgate Paddocks 35 metres to the west.

HISTORY:

13/00672/FUL-Change of use and alteration of former cartshed to form a two bedroom holiday cottage with 2no. parking spaces. APPROVED 04.10.2013.

PROPOSAL:

Planning permission is sought for the change of use and alteration of stable building to a one bedroom holiday let and siting of 5no. one bedroom shepherd huts for self-contained holiday accommodation with associated parking spaces.

The single storey building to be converted to form the one bedroom holiday let was previously used as a stable and more recently as a hen house and for storage of animal feed and firewood. Externally the building is constructed from stone with a clay pantile pitched roof.

The external dimensions of the single storey stable building would be unchanged. The stable building measures 9.5 metres in overall length by 4.6 metres in width and stands 2.4 metres to the eaves and 4.3 metres to the ridge. The external additions would comprise two conservation type rooflights on the north facing roof slope and the installation of double glazed units with dark brown stained hardwood frames to the existing window openings in the north and west elevations. The two existing door openings in the north elevations would be retained although one would be a false stable style door with a glazed window panel to serve the bedroom. The two hardwood doors would be stained dark brown. Internally the converted stable building would provide a bedroom, wet room and open plan living/dining/kitchen area.

The 5no. one bedroom shepherd's huts would each measure 5.5 metres by 2.4 metres with an overall height of 3 metres. The applicant seeks to use reconditioned traditional shepherd's huts where possible or new units to replicate the traditional appearance of shepherd's huts. There would be low level LED lights adjacent to the accommodation entrance doors. The applicant anticipates that, should planning permission be forthcoming, the siting of the huts would be phased over two years with three huts sited in the first year and two in the second year.

Vehicular access to the site would be via an existing 4.7 metre wide access off Main Street (B1415) to the east. Pedestrian access to the A170 would be via an existing footpath to the east of the farm house. Access tracks to each hut would be constructed from compacted 40mm crush run aggregate. There would be a single parking space adjacent to each holiday let unit (6 in total).

Surface water is to be disposed of via soakaway and foul sewage via the main sewer which would require the installation of a new sewer pipe, foul water tank and pump within the site to link to the existing sewer.

POLICIES:

Under Section 38(6) of the Planning and Compulsory Purchase Act 2004 planning authorities are required to determine each planning application in accordance with the planning policies that comprise the Development Plan unless material considerations indicate otherwise. The Development Plan for the determination of this particular application comprises the following:

- The Ryedale Plan- Local Plan Strategy (2013)

The Ryedale Plan - Local Plan Strategy (2013)

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

Local Plan Strategy - Policy SP8 Tourism

Local Plan Strategy - Policy SP9 The Land-Based and Rural Economy

Local Plan Strategy - Policy SP12 Heritage

Local Plan Strategy - Policy SP13 Landscapes

Local Plan Strategy - Policy SP16 Design

Local Plan Strategy - Policy SP17 Managing Air Quality, Land and Water Resources

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

Local Plan Strategy - Policy SP20 Generic Development Management Issues

Local Plan Strategy - Policy SP21 Occupancy Restrictions

Material Considerations

National Planning Policy Framework 2019 (NPPF)

National Planning Practice Guidance 2014 (PPG)

REPRESENTATIONS:

The Authority has received objections from the occupants of Turgate Paddocks and Beck House, Main Street. The two objections raise concerns in relation to noise disturbance, traffic, loss of privacy, screening, visual impact and dogs.

One of the objections raises concern in relation to the impact of the proposed development operating alongside another five caravan pitches. However, the applicant does not propose to have five caravan pitches and the proposed development is made as an alternative to having caravans at the site.

APPRAISAL:

The main considerations in the determination of this application are:

- i) Principle of the development;
- ii) Design and impact on the Conservation Area and AHLV;
- iii) Impact on local amenity;
- iv) Highway impacts;
- v) Flood risk and drainage; and
- vi) Occupancy restrictions.

Principle of the development

The site is in the open countryside and Policy SP1 seeks to restrict development to that which is necessary to support a sustainable, vibrant and healthy rural economy and communities. At the national level paragraph 83 of the NPPF supports a prosperous rural economy and states that planning decisions should, *inter alia*, enable “(a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings; and...(c) sustainable rural tourism and leisure developments which respect the character of the countryside”.

Tourism makes a significant contribution to the local economy and local planning policy (Policy SP8) seeks to develop tourism in a sustainable way which does not undermine some of the very special qualities that visitors come to enjoy and experience. Policy SP8 supports tourist accommodation in the wider open countryside that, *inter alia*, involves “New touring caravan and camping sites and static caravan and chalet self-catering accommodation and extensions to existing facilities that can be accommodated without an unacceptable visual intrusion and impact on the character of the locality”.

The site is in relatively close proximity to the Vale of Pickering, Dalby Forest and the scenic landscapes of northern Ryedale and the type of accommodation proposed would contribute to the range and choice of tourist accommodation available to visitors to the District. Furthermore the site is currently in agricultural use and Policy SP9 relates to the land-based economy and supports appropriate farm and rural diversification.

Local policy provides support in principle for sustainable tourist accommodation where the scale, nature of activity and visual intrusion can be accommodated, for example, in terms of the character and sensitivities of the locality, wider landscape and the road network. The proposed development represents new tourist accommodation and is considered acceptable in principle subject to consideration of the design, landscape, heritage and visual impact, highways safety and local amenity.

Design and impact on the Conservation Area and AHLV

Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that with respect to any buildings or other land in a Conservation Area, special attention should be paid to the desirability of preserving or enhancing the character and appearance of that area.

The site is relatively prominent at the northern end of the village but is generally screened from the A170 by the existing arrangement of buildings. There would be views available across the site from the east for those entering the village on the B1415 (Main Street) although the site is approximately 2

metres higher than the road. The shepherd's huts would be sited centrally within the site and set back from Main Street by approximately 30 metres. It is considered that the most noticeable features for those passing the site to the east would be the gravel access track and the new tree, hedge and shrub planting on the eastern side of the site.

The external dimensions of the stable building would be unchanged and there would be limited alterations to the external appearance of the existing building. The proposals make use of the existing fabric of the building and window and door openings. The proposed development would introduce shepherd's huts into a relatively undeveloped area but the land forms part of an existing paddock and the additions would not interrupt skyline views or the scenic qualities of the landscape. The shepherd's huts would be of modest size, generously spaced and traditional in appearance and would not give rise to any visual intrusion.

The existing stone walls on the eastern boundary and within the site would be unaltered. Existing planting in the form of hedgerows and trees would be complemented by new native hedge, tree and shrub planting adjacent to and between the units and parking spaces. The proposed planting within the paddock would not depart from the character of the locally valued landscape. Overall it is considered that the proposed development is relatively small scale, low impact and the existing and proposed landscaping features would enhance the setting of the development.

The Building Conservation Officer initially requested further information in relation to lighting, landscaping and ground surfacing in light of the position of the site within the Conservation Area. Further information was provided by the applicant on these matters and the Building Conservation Officer has confirmed the design to be low level and sensitive and, therefore, has no objections to the application.

The alterations to the stable building are minimal and would not detract from the character of the building. The proposed scale, siting and appearance of the shepherd's huts together with the landscape planting would be sympathetic to the character of the area and not detrimental to the locally valued landscape. There are no objections from the Building Conservation Officer and the proposed development would preserve the character and appearance of the Conservation Area and the design is acceptable in accordance with Policies SP12, SP13, SP16 and SP20.

Impact on local amenity

As required by Policy SP20 (Generic Development Management Issues) development should respect the character of the area without having 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.

The applicant seeks to convert the former stable and position five traditional style shepherds huts within the site and the proposal represents a relatively modest holiday enterprise. Each holiday let unit (six in total) would be limited to one bedroom accommodation with an associated parking space. The proposed accommodation would be suitable for up to approximately 12 adults at any one time and it is anticipated that guests staying at the site would be spend their days off-site. It is not expected that the use of the limited outdoor amenity and parking areas associated with the 6 holiday units would give rise to unacceptable disturbance to the nearest residential properties. Furthermore, the proposed external lighting would be limited to low level LED lights adjacent to the accommodation entrance doors which are not anticipated to cause a significant issues in terms of light pollution.

With regard to potential loss of privacy the shepherd huts nearest to Turgate Paddocks would be 35 metres from the boundary. The southern boundary of the site consists of a 1.8 metre high stone wall which would provide an acceptable level of screening from the residential property to the south. The converted stable would utilise existing openings (no openings in the south elevation) and the new conservation roof lights would be in the north facing roof pitch that face away from the nearest residential property to the south. There are no openings in the east elevation of the converted stables facing towards Manor Close.

The applicant has confirmed that general waste and dog waste bins will be provided on the site. It is noted that concerns have been raised that visitor's dogs might escape onto neighbouring land at Turgate Paddocks and the objector requests a dog proof fence along the boundary. The applicant states that only two of the Shepherd's Huts will cater for visitors with dogs. The beck runs between the Turgate Farm property and Turgate Paddocks and the boundary comprises a combination of a hawthorn hedgerow and timber post and wire fencing. The control of dogs is primarily the owner's responsibility and also a site management issue.

It is considered that there would be no material impact outside of the site in terms of pollution, disturbance, overlooking, loss of privacy or visual intrusion for neighbours. It is considered that the proposed development would not conflict with the aims of Policy SP20 in relation to the protection of amenity.

Highway impacts

Policy SP8 states that tourist attractions should be accessible by a choice of means of transport. Pedestrian access to the A170 would be via an existing footpath that runs northward to the east of the farm house opposite the Cayley Arms. The Local Highway Authority (LHA) acknowledges that the bus stop is nearby on the A170 and accessible via the existing footpath. The pub, the main street of the village and the nearby bus stops are within walking distance of the application site and it is considered that sustainable modes of transport are available to holiday makers in line with the aims of the policy.

In addition the LHA note that the waste and recycling bin storage area adjacent to the converted stable building would be within relatively close proximity to the roadside collection point and is therefore appropriately located. The LHA have confirmed that they have no objections to the application.

Policy SP20 seeks to ensure that new development does not have a detrimental impact on road safety. An objection makes reference to traffic travelling through the village and congestion along Main Street. Access would be via the existing access off Main Street and due to the proximity to the A170 it is not anticipated that it would give rise to any significant amounts of traffic travelling southward beyond the site and through the village.

The speed limit on the stretch of the B1415 through the village is 30mph. It is considered that, taking account of anticipated traffic movements associated with the proposed development and existing access and visibility, the proposed development would not give rise to a materially significant adverse impact on highway safety either individually or cumulatively and there would be no conflict with Policy SP20.

Flood risk and drainage

The site is located in flood zone 3 which is an area at a high risk of flooding. Allerston Beck is a spring fed watercourse which runs in a southerly direction along the western boundary of the site. The water level is constant throughout the year with a rise and fall of no more than 50-75mm. The Allerston water supply spring overflow runs to the east side of the site along Main Street.

The internal floor level of the shepherd's huts would be at least 0.5 metres above the surrounding ground level. The shepherd's huts would be positioned centrally within the site on higher ground with the land falling away steeply to the east and at a gentler gradient to the beck to the west. The floor level of the stable building is 1.8 metres higher than the road level of Main Street to the east.

The application is accompanied by a Flood Risk Assessment (FRA) and a Flood Emergency Plan. The access and areas of parking would be constructed from a permeable surface (crushed stone) and there will be no new build on site as part of the development. There will be no direct discharge to the watercourses as surface water is to be disposed of via soakaway and percolation tests referred to in the FRA confirm that sub soils are suitably permeable. Foul sewage would be disposed of via the main sewer which would require the installation of a new sewer pipe, foul water tank and pump within the site to link to the existing sewer.

The Flood Emergency Plan sets out details for flood alerts/warnings and actions to be taken by the applicant and guests staying at the site including an evacuation procedure. A condition shall be imposed requiring the development to be implemented in compliance with the approved Flood Risk Assessment and Flood Emergency Plan.

It is considered that the proposed development incorporates a flood resistant and resilient design that is appropriate given its location within Flood Zone 3. It is considered that the proposed development would not increase flood risk at the site or elsewhere and complies with Policy SP17.

Occupancy restrictions

Local Policy SP21(e) relates to Time-Limited Occupation and states “*New un-serviced holiday accommodation (holiday cottages, caravan parks (static and touring), log cabins and holiday chalets) will be subject to the following conditions: □ The accommodation is occupied for holiday purposes only; and not as a person’s sole, or main place of residence; and □ It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 days; and □ The owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request*”. A condition shall be imposed restricting the occupation of the holiday accommodation to ensure compliance with Policy SP21.

Conclusion

The Parish Council have no objections to the application.

The principle of the development is in line with national and local planning policy relating to the sustainable development of tourism and the rural economy. Taking account of the location of the development in terms of topography and existing and proposed screen planting it is considered that the holiday accommodation can be accommodated without giving rise to unacceptable visual intrusion or impact on the character and appearance of the Conservation Area or the locally valued landscape.

The proposed development would not have an unacceptable impact on local amenity or highway safety and any adverse impacts can be controlled by condition. In light of the above assessment, it is considered that the proposal is acceptable and complies with Policies SP1, SP8, SP9, SP12, SP13, SP16, SP17, SP19, SP20 and SP21 of the adopted Ryedale Plan - Local Plan Strategy and the revised National Planning Policy Framework. The recommendation to Members is one of conditional approval.

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:

- Site Location Plan, undated
- Block/Site Plan, undated
- Proposed Floor Plan, undated
- Proposed Elevations, undated

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

3 Unless otherwise agreed in writing by the Local Planning Authority, the Shepherd's Huts shall be restricted to a maximum of 5 units sited in the areas shown on the approved Block/Site Plan. They shall comprise reconditioned Shepherd's Huts or units built with a traditional

outward appearance.

Reason: To ensure that the development of the site accords with policies SP12, SP13 and SP16 of the Ryedale Plan - Local Plan Strategy in relation to landscape and heritage impact.

- 4 All planting, seeding and/or turfing comprised in the scheme shown on the approved Block/Site Plan 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 Ryedale Plan, the Local Plan Strategy.

- 5 The holiday let accommodation hereby approved shall be occupied for holiday purposes only; and not as a person's sole, or main place of residence. It shall be available for commercial holiday lets for a least 140 days a year and no let must exceed 31 consecutive days; and the owners/operators shall maintain an up-to-date register of lettings/occupation and advertising will be maintained at all times and shall be made available for inspection to an officer of the Local Planning Authority on request.

Reason: It is not considered that the accommodation is suitable for permanent residential use and to satisfy Policy SP21 of the Local Plan Strategy.

- 6 Unless otherwise agreed in writing by the Local Planning Authority, the holiday let accommodation and associated outdoor amenity and parking areas hereby approved shall be retained in the same ownership as Turgate Farm, and not sold or let out separately.

Reason: The site is located adjacent to an area liable to flood, which requires the applicant to sign up to the flood line, and also implement the recommendations of the Flood Risk Assessment and a Flood Emergency Plan. It is not considered that this can be adequately managed if parts of the site are in separate ownership.

- 7 The site shall be developed with separate systems of drainage for foul and surface water on and off site that extend to the point(s) of discharge.

Reason: In the interest of satisfactory and sustainable drainage.

- 8 The development shall be carried out in accordance with the recommendations contained within the submitted Flood Risk Assessment dated February 2019 and the actions detailed in the Flood Emergency Plan dated 1 February 2019.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

INFORMATIVE

- 1 Bats

All bats and their roosts are fully protected under the Wildlife and Countryside Act 1981 (as amended by the Countryside and Right of Way Act 2000) and are further protected under the Conservation of Habitats and Species Regulations 2017. Should any bats or evidence of bats be found prior to or during development, work must stop immediately and Natural England contacted for further advice. This is a legal requirement under the aforementioned acts and applies to whoever carries out the work.

