

Planning Committee

29 November 2022

Full Planning Permission for an Extension to a Barn Conversion to Create Additional Living Space for a Farmers Dwelling, Changes to Track to Enable Access to the South of the Building, New Banking to Conceal the Extension and Change of Use of Agricultural Land to Domestic

Top Mains Barn, Moor Road, Bellerby, North Yorkshire, DL8 5NZ

Report of the Planning Manager

Leyburn
Key Decision = N

Date Application Received:	7 July 2022	Target Date for Decision:	7 October 2022
Applicant:	Mr Metcalfe		
Agent (where applicable):	Mr Christopher Hodges		
View Application Documents, Consultation Responses, Representations Received and Other Background Papers Online:	https://documents.richmondshire.gov.uk/planning/planning-documents?SDescription=22/00468/FULL&viewdocs=true		

1.0 Purpose of the Report and Decisions Sought

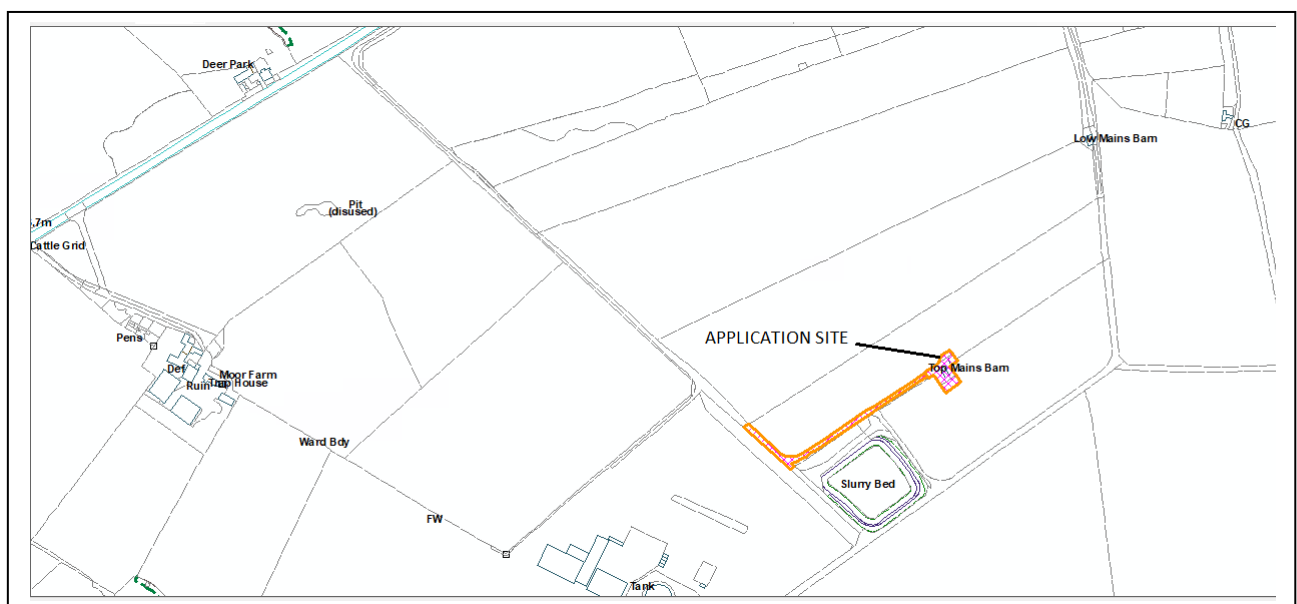
- 1.1 To set out details of the proposals, a description of the site and its surroundings, a summary of planning policy and planning history, details of views expressed by consultees, a summary of the relevant planning issues and a recommendation to assist the Committee in considering and determining this application for planning permission.

2.0 Background and Details of the Proposal

- 2.1 The proposal seeks consent for a significant extension to a former barn conversion in order to create additional living space to what is a relatively small farm workers dwelling. The proposal also includes changes to the access track around the site to enable access to the south of the building. A new banking will also be created to conceal the proposed extension that would entail a change of use of a small area of agricultural land to incorporate it into the existing domestic curtilage. The banking will be levelled off to appear as a natural as possible from behind the extensions, the banking will be approximately 4m at its highest point.

- 2.2 The extension would entail the removal of a timber outbuilding to the east of the site currently used for storage. The proposal would create a two-bedroom property retaining the single storey form. The new extension would run to the north and north east of the existing traditional barn and adjoin on the northern elevation. The existing building would essentially become a bedroom with an en-suite facility. The extension would create a hallway with utility and plant room this part will be faced with random coursed stone, giving unity on the west elevation. North east of the entrance hall is an open plan living/kitchen/dining space and beyond this a second bedroom and en-suite. The extension would be embedded into the existing banking at the rear west with further earthworks providing a turfed roof covering.
- 2.3 The applicant/owner of the property is a partner in a large farming enterprise known as (Metcalf Farms). The Planning Statement reports 'The farming business extends to 3,550 acres (1436 Ha) approximately which is used for grass, whole crop silage and winter cereals. The main enterprise on the farm is a 1,300 cow dairy unit plus calves and replacement heifers. The current dairy enterprise produces in excess of 13.50 million litres of milk per annum. The business rears 450 calves per annum to be used as replacement stock in the dairy herd. Over the course of the next 12 months, it is the intention to increase cow numbers from 1,300 to 1,600, resulting in milk production increasing to nearly 17 million litres.
- 2.4 The original building was, granted consent in 2010 but other than PD rights being removed there is no restrictions on who lives in the building although it would only really be suitable for this use it is not restricted.
- 2.5 Copies of the existing plans are available for Members to view at **Appendix 1, 2 and 3** and a copy of the proposed plans are available to view at **Appendix 4 and 5**. All other documents are available to view as required through the 'Public Access' area (in the "Documents" section) of the Council's web site using the link at the beginning of this report.

3.0 Description of the Site and Surroundings



- 3.1 Washfold Farm is located approximately 2 miles north-west of Leyburn. The farm steading area is set well back off the main road known as Whipperdale Bank between Leyburn and Moor Road in an isolated location. The farming business extends over 3500 acres. The main farm (Washfold) is due east of Top Mains Barn.

4.0 Planning Policies

Richmondshire Local Plan 2012/2028 Core Strategy

- 4.1 The following policies of the Local Plan Core Strategy are relevant in considering this application:

CP1: Planning Positively

CP2: Responding to Climate Change

CP3: Achieving Sustainable Development

CP4: Supporting Sites for Development (with reference to Saved Policy 23 of the Local Plan 2001)

CP7: Promoting a Sustainable Economy

CP8: Achieving Rural Sustainability

CP12: Conserving and Enhancing Environmental and Historic Assets

CP13: Promoting High Quality Design

National Planning Policy Framework (As Revised – July 2021)

- 4.2 As a means of achieving sustainable development and alongside the presumption in favour of sustainable development, the following specific sections of the document are relevant in considering this proposal:

- Achieving Sustainable Development
- Decision-Making
- Building a Strong, Competitive Economy
- Making Effective Use of Land
- Achieving Well-Designed Places
- Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Conserving and Enhancing the Natural Environment

National Planning Practice Guidance

- 4.3 The nPPG complements the aforementioned National Planning Policy Framework in terms of how the NPPF should be implemented in practice. The nPPG can be a material consideration in the decision-making process. The following categories of the nPPG are considered relevant in the consideration of the proposal(s):

- Climate Change
- Determining a Planning Application
- Effective Use of Land
- Natural Environment

Supplementary Planning Documents

- 4.4 There are no adopted Supplementary Planning Documents relevant in considering this proposal:

5.0 Planning History

5.1 The following planning history is relevant to the consideration of the current application(s):

5.2 Application Reference: 10/00912/FULL

Application Description: Conversion of Stone Field Barn to Create Dwelling

Decision: Approved

Determination Date: 16.02.2011

6.0 Consultations Undertaken and Representations Received

The application has been publicised in accordance with the provisions set down in the Town and Country Planning (General Development Procedure) Order 2015. All representations submitted in relation to the consultation (and any required reconsultation) are available to view in full within the "Documents" section of the application on Public Access. A summary of all representations received (where comments made are material planning considerations) are provided below:

6.1 **Parish/Town Council**: no response

6.2 **Ward Member(s)**: no response

6.3 **Highway Authority**: no objections subject to parking condition imposed.

6.4 **NYCC Minerals and Waste**: has no comments in this particular instance

6.5 **Neighbours/Local Residents**: No representations have been received following consultation on the application.

A summary of the representations received in relation to the application(s) are provided below, where relevant to the consideration of the proposals. All representations are available to view in full within the "Documents" section of the application on Public Access.

6.6 **Publicity**: site notice expiry 8 August 2022-no representations received

7.0 Planning Issues

Policy Considerations

7.1 The full list of relevant policies is set out in Section 4 above. The key Spatial Principles (SP) and/or Core Policies (CP) of the Local Plan Core Strategy that have the greatest bearing on the consideration of the proposal(s) are: Principle, impact on the existing dwelling and the landscape.

7.2 Other SPs and/or CPs of the Local Plan Core Strategy that need to be noted at this point are:

- CP1 (Planning Positively): Planning applications that accord with the policies in the Local Plan Core Strategy will be approved without delay, unless material considerations indicate otherwise.
- CP3 (Achieving Sustainable Development): Support will be given for sustainable development which promotes (amongst other things): the health,

economic and social well-being, amenity and safety of the population; the character and quality of local landscapes and the wider countryside; the distinctive, character, townscape and setting of settlements, and the historic, environmental and cultural features of acknowledged importance.

- CP4 (Supporting Sites for Development): Paragraph 3.e. states that development should be consistent with the requirements of Core Policies, and should not cause significant adverse impact on amenity or highway safety.
- CP13 (Promoting High Quality Design): High quality design of both buildings and landscaping is a priority in all development proposals. Support will be given for proposals that (amongst other things):
 - a) Provide a visually attractive, functional, accessible and low maintenance development
 - b) Respect and enhance the local context and its special qualities, including its design features, landscape, social activities, historic environment and national and locally recognised designations

Principle

7.3 Paragraph 80 of the NPPF 'Planning policies and decisions should avoid the development of isolated homes in the countryside unless one or more of the following circumstances apply:

a) there is an essential need for a rural worker, including those taking majority control of a farm business, to live permanently at or near their place of work in the countryside;

Policy CP8 seeks to support the social and economic needs of rural areas lying beyond Spatial Principle SP2 settlements, by encouraging:

- a. small scale housing developments in or adjacent to smaller villages
- b. expansion of rural businesses
- c. re-use of suitable rural buildings for housing, tourism and employment generating uses supporting Spatial Principles SP3 and SP5.

7.4 The policy advises 'Development will be supported where it is necessary to meet the needs of farming, forestry.... and, it would involve extensions to buildings (excluding dwellings converted from rural buildings) where the scale and design complements the character of the main building.

Policy CP8.2 (a) facilitates new development that is necessary to meet the needs of farming, which could be interpreted as being inclusive of new farm workers' dwellings. No other policy within the Core Strategy relates specifically to this particular form of development, which is identified in paragraph 80 of the Framework. The key issue concerns the justification to permit an extension that would conflict with sub-paragraph (f) of CP8.2. Officers did however consider the initial floor area of the extension was overly large for the needs of the applicant. Following consultation with the agent/applicant the additional dining room area has been omitted. This has reduced the floor area to a functional use rather than something that is desirable.

7.5 The extension would however still more than double the size of the former farm building, this would not normally acceptable without clear justification. In support of the proposal the Planning Statement reports; 'There is a functional need for a larger dwelling with the client working full time on the farm. The farm has been established for many years and is financially sound and there are no other units at

this farm that our clients can use'. Albeit this is not a new dwelling the same principles apply as outlined above; members are advised there is a clear requirement for a dwelling to be on site therefore would comply with NPPF paragraph 80. Officers did however consider the initial floor area of the extension was overly large for the agricultural needs of the enterprise and the applicant. Following consultation with the agent/applicant the additional dining room area has been omitted. This has reduced the floor area to a functional use rather than something that is desirable. Officers consider there is sufficient justification for the revised extension to an existing small farm workers dwelling in this rural location for a farm of this scale. Given it is already a dwelling in a sustainable location for the end user to be close to their place of work it would comply with Policy CP3.

Design and Appearance

- 7.6 The extension would entail the removal of a large timber outbuilding that has been in situ for several years. The proposal albeit large in footprint would be no larger than your typical bungalow in floor area; overall it does not result in an excessively large dwelling albeit it would be contrary to point (f) of CP8. The proposal has been designed to be of a low-level form with most of the extension being covered, with a grass roof aiding its assimilation into the landscape within the bunding. The extension would consist of aluminium framed anthracite glazing and charred larch cladding providing a clear distinction to show the evolution of the building. The proposal would be low maintenance and functional nestling into the landscape seamlessly. The location and design would fit into the rural environment with minimal harm to the landscape. The site is already well concealed by the existing topography the additional landscape works would not appear at odds with the environment within its setting. Officers consider this would be compliant with policies CP12 and CP13.

Impact on Neighbours

- 7.7 No comments have been received the property is a considerable distance from any other neighbouring properties retaining current amenity levels.

Highway Safety

- 7.8 The Highway Authority have no objections to the proposal. Officers consider the parking and turning condition as unnecessary for an isolated dwelling however this can be imposed by members if you consider it appropriate.

The Public Sector Equality Duty

- 7.9 There is a requirement for the Council to show that it has complied with the statutory duty under Section 149 of the Equality Act 2010 to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The protected characteristics are: age; disability; gender reassignment ; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation. There is no reason why the proposed development would prejudice anyone with the protected characteristics as described within this paragraph.

8.0 Conclusions

- 8.1 Members are advised the proposed extensions would be contrary to point (f) of CP8 due to their overall scale when compared to the original barn conversion which is very modest. Despite the large floor area of the proposal in this location in this

secluded environment with the low-level form and design it would be acceptable in terms of landscape impact. There is though, a justifiable need for an extension of this scale in respect of the large farming enterprise. This is supported by point (a) of policy CP8 and paragraph 80 (a) of the NPPF. On balance overall, the proposals generally accord with the requirements and expectations of the relevant Spatial Principles and Core Policies of the Richmondshire Local Plan Core Strategy, and with the relevant sections of the National Planning Policy Framework and the national Planning Practice Guidance.

9.0 Recommendation

- 9.1 That conditional planning permission be granted for the reasons stated within section 8 above.
- 9.2 Should the Committee resolve to conditionally approve planning, delegated authority to officers is sought for the imposition of any other conditions in addition to the following list of recommended planning conditions within Section 10 below, and/or any minor amendments to the wording of the recommended planning conditions listed below. In any of these situations, the planning permission would then only be issued after agreement with either the Chair or Vice Chair of the Planning Committee regarding the proposed additional and/or amended planning conditions.

10.0 Recommended Planning Conditions

- 10.1 Should Members resolve to approve planning permission, the following planning conditions (with reasons) and informatives are recommended to be imposed:

Condition 1: The development hereby permitted shall be carried out precisely in accordance with the approved drawings and particulars as set out below, together with any conditions attached to this approval which may require any variation thereof:

- a) application form and certificates
- b) location plan
- c) proposed floor plans as amended 04.10.22
- d) existing and proposed plans layout
- e) proposed elevations as amended 04.10.22
- f) design and access statement -planning statement

Reason for Condition

To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Highway Authority Recommended Conditions

Condition 2: No part of the development must be brought into use until the access, parking, manoeuvring, and turning area have been constructed in accordance with the details approved in writing by the Local Planning Authority and as shown on Drawing Number 4 Revision 1.

Once created these areas must be maintained clear of any obstruction and retained for their intended purpose at all times.

Reason for Condition

To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.

11.0 Further Information

11.1 **File Reference:** 22/00468/FULL

11.2 **Appendices:** Appendix 1: Site drawing layout plan
Appendix 2: Existing floor plans
Appendix 3: Existing elevations
Appendix 4: Revised floor plans and sections
Appendix 5: Revised Elevations

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