

**North Yorkshire Council**

**Community Development Services**

**Richmond (Yorks) Area Constituency Planning Committee**

**12<sup>th</sup> October 2023**

**ZB23/01360/FUL – Change of use of domestic extension to mixed use for domestic use and occasional holiday let at Sedgefield House, Ainderby Steeple, Northallerton, North Yorkshire, DL7 9JY for Mr and Mrs Stuart Tweddle**

**1.0 PURPOSE OF THE REPORT**

- 1.1 The purpose of the report is to determine an application for planning permission for the change of use of a recently completed house extension to allow it to be used either as private residential accommodation in association with the host dwelling or as holiday accommodation. This would also allow the unit to be booked in association with the proposed wedding accommodation, should planning permission be granted for 23/00625/FUL.
- 1.2 This is a Committee decision following call in by the Divisional Member and owing to the relationship with an application for planning permission for a wedding venue on the wider holding under reference 23/00625/FUL.

**2.0 SUMMARY**

**RECOMMENDATION:** That planning permission be **GRANTED** subject to the conditions set out in Section 12 of this report.

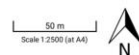
- 2.1 An application for an extension to the side of the existing dwelling was granted planning permission in 2021 under reference 21/02219/FUL and has recently been completed. The current application seeks planning permission for the partial change of use of the extension, to allow it to be occupied either as part of the dwelling, or to be rented out independently, as holiday accommodation.
- 2.2 The proposed accommodation would comprise one double bedroom, with changing / makeup room, bathroom and guest kitchen.
- 2.3 Any grant of planning permission on this basis would require a planning condition to ensure that the unit of accommodation was only used for incidental residential purposes or holiday letting purposes only and not to be used as an independent dwelling.
- 2.4 Concern is expressed in observations, that this development would cumulatively result in a harmful impact in the locality, through an increase in traffic, in particular when combined with the wedding venue on the wider site.

2.5 Officers consider that the proposed holiday accommodation, whether or not considered cumulatively with the proposed wedding business is of a small scale, generating limited additional activity in the area or traffic movements and would not result in a harmful impact on amenity or road safety in the vicinity of the application site and would not result in any significant loss of amenity.

Location Plan Holiday Let  
1:2500



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### 3.0 **PRELIMINARY MATTERS**

3.1 Access to the case file on Public Access can be found here

#### [Online Related Documents](#)

3.2 Planning History

- 10/02248/APN - Application for Prior notification for the construction of a steel portal agricultural storage building – Granted October 2010.
- 12/00382/FUL - Proposed extension to existing dwelling – Granted April 2012.
- 17/00597/FUL - Change of use of agricultural land to site of 3no. camping pods with associated car parking – Granted May 2017.
- 17/01379/FUL - Change of use of agricultural land for the siting of 6no camping pods with associated access and car parking – Granted September 2017.
- 19/00775/FUL - Change of use of domestic outbuilding to farm office and amenity building and associated works in conjunction with existing camping site – Granted June 2019.

- 20/01831/FUL - Proposed change of use of domestic outbuilding to amenity building and siting of 5 camping pods in conjunction with existing camping site with new sewage package treatment plant – Granted October 2020.
- 21/02219/FUL - Single storey extension to the west elevation and two storey extension to the east elevation of the dwellinghouse – Granted November 2021.
- 21/02352/FUL - Construction of an agricultural building for the storage of hay and straw, animal feed, fertiliser, machinery and the handling of stock – December 2021.
- 23/00625/FUL - Proposed change of use of agricultural and amenity building including alterations to west elevation to a wedding venue with associated parking facilities and new access – Currently under consideration.

#### **4.0 SITE AND SURROUNDINGS**

- 4.1 The site is located to the south of Ainderby Steeple within farmland within the curtilage of the farmhouse. The site is currently accessed via Warlaby lane and then via an unmade road to the farm, and outside the main confines of the village, the access is in part a public right of way. The land rises up from the tarmac road and the farm buildings stand in a slightly elevated position and are visible at some distance from the main road between Ainderby Steeple and Northallerton.
- 4.2 Recent permissions have granted the siting of 14 camping pods on land to the north of the site. These are set within the surrounding farmland to the north of the current application. Further to this the site has also benefited from a change of use of a former agricultural building, to amenity and office space associated with the use of the camping pods.
- 4.3 The existing building complex comprises a small single storey former agricultural building across a courtyard from a similar larger building that benefits from an existing permission as an 'amenity building'. Both are old brick buildings of agricultural origin. A second much larger agricultural building, developed under agricultural permitted development rights (ref: 10/02248/APN) has been converted without planning permission to a non-agricultural use beyond the scope of the agricultural prior notification for use as an events venue. This includes a substantial insertion of windows into the western elevation without planning consent. This matter is being considered under reference 23/00625/FUL.

#### **5.0 DESCRIPTION OF PROPOSAL**

- 5.1 The application seeks planning permission for the partial change of use of the recently completed extension to allow it to be used either as residential accommodation associated with the host dwelling or as holiday accommodation. The intention is that the accommodation could be booked separately or as part of a package for a wedding, should permission be granted for the wedding venue or used separately as holiday accommodation.
- 5.2 The proposals include the provision of two dedicated car parking spaces along with an area of garden.

## **6.0 PLANNING POLICY AND GUIDANCE**

6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that all planning authorities must determine each application under the Planning Acts in accordance with Development Plan so far as material to the application unless material considerations indicate otherwise.

### Adopted Development Plan

6.2 The Adopted Development Plan for this site is;

- Hambleton Local Plan and
- North Yorkshire Joint Waste and Minerals Plan

### Emerging Development Plan - Material Consideration

6.3 The North Yorkshire Local Plan is the emerging development plan for this site though no weight can be applied in respect of this document at the current time as it is at an early stage of preparation.

### Guidance - Material Consideration

6.4 Relevant guidance for this application is:

- National Planning Policy Framework 2021
- National Planning Practice Guidance

## **7.0 CONSULTATION RESPONSES**

7.1 The following consultation responses have been received and have been summarised below

### Consultees

7.2 Parish Council - No comments to make.

7.3 Highways – No objections.

7.4 Environmental Health – No Comments.

### Local Representations

7.5 19 letters of objection have been received citing the objections summarised below. It should be noted that a number of comments received on this application also refer to the change of use of the wider site for use as a wedding venue.

- Impact on use of the access
- The unit has already been brought into use, without planning permission
- Customer complaints to local businesses owing to increase in local traffic
- Impact on the right of others to use the track to access and maintain land
- Harmful impact on residential amenity

- Impact on the character and amenity of the area through increase in the intensity of the use
- Road safety implications owing to the cumulative number of vehicles
- The change of use will threaten the peace and tranquillity necessary for successful farming in the vicinity
- Additional traffic will limit traffic movements from the farm
- Concern that the applicant will not abide by planning restrictions
- Harmful impact on pedestrians using the public right of way
- Impact of dust from use of the unmade access track
- This was approved as a house extension and should not now be incorporated into the business
- Concern about the nature of the proposed use and the extent and duration of the use

## **8.0 ENVIRONMENT IMPACT ASSESSMENT (EIA)**

8.1 The proposed development does not fall within Schedule 1 or 2 of the Environmental Impact Regulations and as such an Environmental Statement is not required.

## **9.0 MAIN ISSUES**

9.1 The key considerations in the assessment of this application are:

- Principle of development
- Impact on character and appearance of the area
- Impact on residential amenity
- Impact on road safety

## **10.0 ASSESSMENT**

### Principle of Development

- 10.1 Policy S5, Development in the Countryside seeks to ensure that new development recognises the intrinsic beauty, character and distinctiveness of the countryside as an asset that supports a high-quality living and working environment, contributes to the identity of the district, provides an attractive recreational and tourism resource and is a valued biodiversity resource.
- 10.2 Development in the countryside will only be supported where it is in accordance with national planning policy or other policies of the development plan and would not harm the character, appearance and environmental qualities of the area in which it is located.
- 10.3 Policy EG7 Businesses in rural areas states that employment generating development will only be supported in locations outside the main built form of a defined settlement in the settlement hierarchy where it involves:
- a. the expansion of an existing business where it is demonstrated that there is an operational need for the proposal that cannot physically or reasonably be accommodated within the curtilage of the existing site; or

- b. the re-use of an existing building of permanent, structurally sound construction that is capable of conversion without the need for substantial extension, alteration or reconstruction and can accommodate the functional needs of the proposed use including appropriate parking provision; or
- c. a new building provided that it is well-related to an existing rural settlement and where it is demonstrated that the proposal cannot be located within the built form of a settlement or an identified employment location; or
- d. other proposals specifically requiring a countryside location.

10.4 Policy EG8, The visitor economy states that a proposal for new tourist accommodation will only be supported where it is demonstrated that:

- d. the scale, form, layout and design is appropriate to its location and would not unacceptably harm the character, appearance or amenity of the surrounding area or wider countryside;
- e. it would not cause unacceptable harm to the living conditions of neighbours or prejudice existing land uses;
- f. occupation can be limited to holiday purposes only;
- g. a proposal for a new, or an extension to an existing, caravan, camping or holiday chalet site is accessible to local services and public utilities; and
- h. where a countryside location is proposed, the development cannot be located within or adjacent to the built form of an identified settlement in the settlement hierarchy and it will be accessible by sustainable travel options.

In particular support will be given to proposals that meet the above criteria and form part of a comprehensive farm diversification scheme, see policy 'EG7: Businesses in Rural Areas', or are directly linked to the long term conservation and enjoyment of publicly accessible natural and cultural heritage assets. In all cases the approach roads and access to the site have the capacity to cater for the type and levels of traffic likely to be generated by the development.

10.5 Matters pertaining to road safety, rural character and amenity are dealt with under the relevant sections of this report. In this case the structure concerned is an extension to an existing dwelling. Notwithstanding the current application for the proposed wedding venue for the larger site, there exists on site both a smaller wedding venue and camping pods, with planning permission. As such the proposed development represents a small extension to the existing business use on the site and is a use that is reasonably considered to require a countryside location. It is considered that the principle of a small unit of holiday accommodation in this location is in compliance with policy contained within the Local Plan.

Impact on character and appearance of the area

- 10.6 The physical impact of the development was considered at the time of the approval of the extension itself and is not considered further here. The matter of concern relates to the impact of the use on the character of the area, taking into account the proximity of the public right of way approximately 100m to the east of the site.
- 10.7 The limited scale and form of the unit, with parking space for 2 vehicles and a small area of designated garden is considered to result in no harm to the character of the area. Concern has been expressed about the additional vehicle generation from the

site and the potential for this to result in a harmful impact on the amenity of those using the public right of way along with the wider road network.

- 10.8 Officers consider that limited nature of the use accommodating a limited number of holiday makers and resulting in only a minor increase in traffic, results in no significant adverse impact on the character or appearance of the area.

#### Impact on residential amenity

- 10.9 Policy E2 states that all proposals will be expected to provide and maintain a high standard of amenity for all users and occupiers, including both future occupants and users of the proposed development as well as existing occupants and users of neighbouring land and buildings, in particular those in residential use.
- 10.10 In this case the likely sources of conflict with residential amenity arise from vehicular traffic using the private access road along with activity on site from residents using the accommodation.
- 10.11 Officers consider that the small unit will generate a limited number of daily traffic movements and whilst these need to be considered cumulatively with the use of the camping pods, it is considered that the change in vehicle movements resulting from this development is insignificant and will not result in any significant additional impact on residential amenity from noise or disturbance either from the use of the site itself, or from vehicle movements.
- 10.12 It is considered that the proposed development will not raise significant residential amenity issues and that the proposed development is capable of compliance with Local Plan Policy E2.

#### Impact on road safety

- 10.13 Policy IC2, Transport and Accessibility states that the Council will work with other authorities and transport providers to secure a safe and efficient transport system that supports a sustainable pattern of development that is accessible to all.
- 10.14 Concern has been expressed in observations about the use of the local highway network and the private access into the site, which is jointly used by a number of local land owners and the operators of the farm, beyond the application site. This concern includes delays caused to farm traffic, congestion in the vicinity and a loss of road safety resulting from additional traffic using the narrow access.
- 10.15 Given the scale of the proposed use the additional traffic generated is considered to be minimal and will not result in any significant change to traffic movements in the vicinity of the application site. Officers are satisfied that the road network and the private access are capable of absorbing this development without any significant impact on road users or their safety. The proposed development is considered to accord with Policy IC2.

## **11.0 PLANNING BALANCE AND CONCLUSIONS**

- 11.1 The principle of the proposed development in this location is accepted. The development is small and discreet in character and has no significant impact on either the character, appearance or amenity of the area.

11.2 The use will generate a small number of additional car movements. Given the nature of the access and the existing use of the access, the additional traffic movements are considered to be inconsequential and will result in no significant harmful impacts in terms of road safety or residential amenity.

## 12.0 RECOMMENDATION

12.1 That Planning Permission be **GRANTED**, subject to the following conditions:

Condition 1: The development hereby permitted shall be begun within three years of the date of this permission.

Reason: To ensure compliance with Sections 91 and 92 of the Town and Country Planning Act 1990 and where appropriate as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Condition 2: The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) Location plan and Layout Guest Suite received by the Local Planning Authority on 28 June 2023 unless otherwise approved in writing by the Local Planning Authority.

Reason: In order that the development is undertaken in a form that is appropriate to the character and appearance of its surroundings and in accordance with the Local Plan Policies S1 and E1.

Condition 3: The use of the part of the extension as highlighted in red in plan 'upstairs Holiday let and downstairs holiday let' shall be limited to residential use associated with Sedgefield House or as holiday accommodation in accordance with the following requirements:

The development must comply with the following requirements that:

- (i) the accommodation shall be occupied for holiday purposes only;
- (ii) the accommodation shall not be occupied as a person's sole, or main place of residence other than as part of Sedgefield House.
- (iii) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual of the accommodation on the site, and of their main home addresses. The owner/operator shall advise the Local Planning Authority of the name and address of the holder of the records and shall make the information on the register available at all reasonable times to the Local Planning Authority.

Reason: In order to ensure that the accommodation is used for purposes appropriate to the site and the requirements of Planning Policy.

**Target Determination Date:** 13 October 2023

**Case Officer:** Mr Peter Jones, [peter.jones@northyorks.gov.uk](mailto:peter.jones@northyorks.gov.uk)