

COMMITTEE REPORT

Committee: East Area
Date: 9 August 2007

Ward: Heslington
Parish: Heslington Parish Council

Reference: 07/01046/FUL
Application at: Enclosure Farm Main Street Heslington York YO10 5EA
For: Proposed conversion of redundant agricultural buildings to 3 No. domestic dwellings. (Re-submission)
By: Mr Brown
Application Type: Full Application
Target Date: 28 June 2007

1.0 PROPOSAL

1.1 The application relates to a site (0.223 hectares) located at the rear of properties fronting Main Street. It comprises of traditionally constructed one and two storey buildings that were part of the former Village Farm - the main farm house fronts onto Main Street with side access to the south leading to the barns. The site is surrounded by housing development to the south and east and garden spaces to the north.

1.2 The proposal involves the conversion and extension of the existing brick and tile buildings on site to provide three homes. Access would be via the existing access to the south of the former farmhouse fronting Main Street, which has been improved as part of the approval for works at the former farmhouse (05/2467/FUL).

1.3 'Barn A' would be a six-bedroom house that would occupy a large portion of the site. It would have a large single storey extension to the north of the main L-shaped building with garden areas and courtyard behind gates. An existing barn adjacent to the southern boundary would be altered with the front wall re-built to provide ancillary storage and home office for Barn A with some storage for Barn D. 'Barn B' would be located to the north of the access road and would be a two-bedroom single storey dwelling. 'Barn D' would be located to the south of the access road and would also be a two-bedroom part two/part single storey house. The garaging for barns B and D would be located in a double garage attached to Barn B.

1.4 The application is accompanied by a Design and Access Statement. This sets out the approach behind the development to 'produce dwellings from converted barns'. The detailed design proposes that there be a clear distinction between old and new. It confirms that the units will be built to exceed current building regulations and that occupants of Barns B and D would benefit from membership of the City's car club scheme. It concludes that the proposals achieve a 'happy blend' of traditional and contemporary in an agricultural vernacular that sits appropriately in the Heslington Conservation Area.

1.5 A previous application for conversion and extension to create five dwellings was withdrawn in 2007 due to concerns expressed by the Council's Conservation Officer about the extent of alteration to the original buildings. This previous application was

called-in for a Committee decision by Cllr Jamieson-Bell and as a result, this revised scheme is now brought to the Committee.

2.0 POLICY CONTEXT

2.1 Development Plan Allocation:

Conservation Area Heslington 0029

City Boundary York City Boundary 0001

DC Area Teams East Area (1) 0003

Schools Lord Deramore's Primary 0208

2.2 Policies:

CYGB1

Development within the Green Belt

CYGB2

Development in settlements "Washed Over" by the Green Belt

CYGP1

Design

CYGP4A

Sustainability

CYGP10

Subdivision of gardens and infill devt

CYNE1

Trees, woodlands, hedgerows

CYHE2

Development in historic locations

CYHE3

Conservation Areas

CYHE10

Archaeology

CYH3C

Mix of Dwellings on Housing Site

CYH4A

Housing Windfalls

CYH5A
Residential Density

CYL1C
Provision of New Open Space in Development

3.0 CONSULTATIONS

3.1 Internal

Highway Network Management - Notes existing consent for improvements to existing access, provision of single garages to provide off street parking facilities with car club membership for future occupants and siting of Barns B and D within current boundary of R13 Heslington Residents Parking Zone. There are no highway objections subject to conditions regarding access, vehicular areas, car and cycle parking, turning areas, mud on highway and dilapidation survey.

Environmental Protection Unit - Have concerns about contaminated land based on historical uses of the proposed site: agriculture, vehicle repairs and a haulage yard, which are all identified in PPS23 as potentially a source of contamination, coupled with the fact that the proposal is for dwellings adding new receptors to the site. Request condition to address concerns.

Urban Design and Conservation -

(i) Conservation - This is a great improvement on the previous application: it is a less intensive development and it retains far more of its original agricultural character, so the main obstacles have been overcome. Only concern is new rear extension to the barn. Conceding quite a lot here in terms of new development but it could be justified if the new extension fits the part, i.e. resembles externally a range of farm outbuildings subservient to main barn. On basis of alteration to roof profile and general lowering of roof height, the new extension is now both more subservient to the barn and more sympathetic to the conservation area.

(ii) Ecology - Accepts findings of bat survey submitted with previous application as findings then are relevant now because short time elapsed. Considers that suitable bat roost habitat is included within the new buildings to replace that that is lost. Suggests condition to cover this.

(iii) Landscape/Trees - No objections. Please include landscaping condition. There should be no impact on the large Ash tree and holly tree close to the existing four-bay barn as this is to be retained for garaging and trees in the neighbouring car park that overhang the site are within an area that would be garden. No objection to removal of any other trees/shrubs within site boundaries.

(iv) Archaeology - Site lies outside AAI in an area which has produced prehistoric, Roman and medieval deposits. Barns have historic character which will be compromised by the proposed development. Structures are shown on 1853 1st edition OS plan, but unclear whether current structures represent these. The barns

of historic interest and should be recorded. Request recording condition and ARCH2.

City Development - No comments.

3.2 External

Heslington Parish Council - Object:

- New portion of Barn A is contrary to Village Design Statement as it does not retain garden and open space between and behind houses.
- Design and construction materials planned for new build aspect of Barn A do not conform to VDS, which requires use of materials and building methods of highest quality, that respect and are sympathetic to context and building traditions of the village.
- Concern about height and location of Barn D and detrimental effect on loss of amenity to neighbouring properties.

Heslington Village Trust - Object:

- Welcome reduction in number of houses from five to three;
- Concerns remain about impact on neighbours amenity;
- Concern about extension to Barn A, which would occupy 40% of open site north of barn and whose form and materials are alien to and sit uncomfortably in village context, contrary to Village Design Statement;
- Concerned about potential for sub-letting to students could be overcome by more modest and architecturally more appropriate and contextual design and request covenant if approved to prevent property being let or turning into HMO.

Four letters from local residents, raising following points:

- Plans show commercial development rather than one for personal use;
- Work has already commenced with old features being removed and window spaces opened up;
- Plans do not clearly detail enlargement of current building footprint;
- Buildings are of significant historical nature to the village and are few remaining examples of Heslington village life;
- Application contravenes guidance in Village Design Statement in respect of change of use applications and building on open spaces;
- Too great density and removes current free space and as such detracts from open character of locality;
- Concern re: student type accommodation;
- Effect on residential amenity from opening up apertures of Barn A and new windows proposed on privacy and affect of built form of proposed extensions on views and light;
- Parking provision for vehicles is unclear and concern further pressure on street parking in village;
- Plans for development at Rowan House adjacent have been rejected on grounds of Green Belt, harm to conservation area, insufficient information regarding how development fits into distinctive local character;
- No details about tree removal and damage to hawthorn hedge on boundary;
- Design not consistent with original agricultural buildings;

- Location of development on site unbalanced and result in one large property occupying two-thirds of site, with disproportionate intensity of use on south and west sides.

4.0 APPRAISAL

4.1 Key issues:

- green belt status
- reuse for residential purposes
- density and mix
- affect on character and amenity of local environment
- affect on Heslington Conservation Area
- archaeology
- impact on ecology
- residential amenity
- access, parking and highway safety
- contamination
- public open space

4.2 Policy Context - The site lies in the York Green Belt within the washed over village of Heslington and within the Heslington Conservation Area. In addition to the City of York Draft Local Plan policies set out in section 2.2, Planning Policy Statement 1: Delivering Sustainable Principles, Planning Policy Guidance Note 2: Green Belts, Planning Policy Statement 3: Housing and Planning Policy Guidance Note 15: Planning and the Historic Environment are of relevance and outline national planning policy. Policy E4 of the North Yorkshire County Structure Plan also relates. A Village Design Statement was published for Heslington in 2004. It is a material planning consideration and offers advice on design principles based on the distinctive local character of the settlement. In particular, section 4 'The Built Environment' requires development to respect the setting and character of the village, sit happily in the pattern of the existing development, respect views through to open countryside, reflect the domestic scale of buildings in the Village with extensions being no larger or more dominant than the parent building, provide adequate parking, use high quality sympathetic materials and maintain variety in size and scale.

4.3 Green Belt - The site lies within a village 'washed over' by the City of York Green Belt as shown on the Local Plan Proposals Map. The relevant policy context is contained in PPG2 and Local Plan Policies GB1 and GB2. These allow development within the defined settlement limits of such villages providing it constitutes limited infilling that does not prejudice the openness nor purposes of the Green Belt. It is considered that the development would accord with these policies and be acceptable in Green Belt terms. There is a history of infill development in the village behind the frontage properties from either conversion with extension or new build, highlighted by the developments of Enclosure Garden to the east of the site and the detached houses to the south-east of it and conversion of other farm buildings, such as those comprising Bridge Farm on the opposite side of Main Street. The site is located within the built-up area of the settlement and would

reuse, albeit with extensions, existing buildings and its scale and design would be appropriate to the form and character of the settlement.

4.4 Residential reuse - The buildings are agricultural in origin though according to the agent have not been used as such for the past thirty to forty years and have subsequently been used as a base for a haulage contractor and for vehicle repairs. The reuse of the buildings for residential purposes is considered to be acceptable in principle as it would ensure the retention of the buildings, would be compatible with the surrounding land uses and would be an appropriate use in this part of the Green Belt as set out above. This is providing that the detailed considerations of the conversion of the buildings is acceptable.

4.5 Density and mix - The scheme converts the existing buildings with extensions to them to provide the three dwellings and associated garaging facilities. The site would be more intensively developed than it is currently, though the development would have a lower density (13.5 dph) than the 30 dph sought by planning policy. However, there is no objection to the scheme on this basis given the constraints of the site, that is: the need to retain existing buildings and their original agricultural character, and to respect the conservation area and amenity of surrounding occupants. To achieve the sought density, the site would need to accommodate 7 dwellings, which would require further conversion and additional new build. The development proposes 1x 6 bed house and 2 x 2 bed dwellings. The latter two are constrained by the size of the original agricultural buildings. It may be possible to develop Barn A into smaller properties, with extension again, though there may be issues with access to and amenity between the units. Regardless, the applicant is proposing to development this single larger property for his own occupation rather than as a speculative development.

4.6 Character and amenity of local environment - In addition to general advice in PPS1 and Local Plan Policy GP1 on design, Local Plan Policy GP10 in particular relates to infill development. It states that planning permission will only be granted for infilling to provide new development, where it would not be detrimental to the character and amenity of the local environment. The requirements in section 4.1 of the Village Design Statement outlined in 4.2 are also relevant. The scheme has been designed to retain the integrity of the original fabric of the agricultural buildings, both internally and externally, whilst allowing conversion to residential units, and in particular the size of accommodation sought by the applicant in the main dwelling, Barn A. Traditional materials would be used externally for construction of the extensions, with the exception of the courtyard entrance extension and the internal face of the extension to Barn A. Although the extension to Barn A has a large footprint, it is only single storey and has been designed so that it appears from outside the site as part of the range of agricultural buildings. It has been lowered in height and its pitch amended at the request of the Conservation Officer. On balance, it is considered that the development accords with Policy GP10 and Village Design Statement guidelines. The development of the site would be unlikely to prejudice the aim of minimising opportunities for crime given that it would increase surveillance and hinder access to surrounding properties.

4.7 Conservation Area - The scheme has been amended with the reduction in roof pitch and height of the extension to barn A at the request of the Conservation Officer

in order that when viewed from outside the site it resembles a range of farm buildings subservient to the main barn. On the basis of the revision, the Conservation Officer raises no objection to the scheme. The scheme is considered to be sympathetic to the conservation area and its character and appearance would be preserved.

4.8 Archaeology - The site lies outside of the Area of Archaeological Importance, but in an area that has produced prehistoric, Roman and medieval deposits. The barns themselves have a historic character that the proposal would compromise. Therefore conditions would be required to record the buildings prior to any conversion and to require a watching brief on all ground works.

4.9 Impact on ecology - The main issue has been in relation to the presence of bats. A survey was undertaken for the previous withdrawn application, which has been considered again by the Council's Countryside Officer. The survey concluded that there is no evidence of the buildings being used by bats, though they provide good habitat for brown long-eared bats. As a result, a condition is requested to address bat mitigation and conservation. No objection is raised by the Council's Landscape Architect on the basis of trees either within or that overhang to the site.

4.10 Residential amenity - Local residents have raised concern on various matters, but particularly residential amenity from Barns A and D.

Barn A - Concerns regarding loss of privacy due to the windows in east elevation and loss of views by virtue of the extension. The three relatively small windows at first floor in the eastern elevation are proposed in existing openings and would serve the main bedroom. As they would be sited at a distance of approx. 13m and face directly towards the nearest property, 2 Enclosure Gardens, obscure/opaque glazing is required to protect the amenity of the adjacent occupiers. The proposed extension is single storey with a roof sloping upwards away from the nearest neighbours and no openings are proposed in its external walls. As such, it would not harm the amenity that the neighbours of no.2 can be reasonably expected to enjoy. The planning system does not seek to protect private views.

Barn D - Concerns regarding loss of privacy and overshadowing. The only window on southern elevation of the existing (with the exception of roof windows) would serve a staircase. Given this and its position in relation to the nearest house, Garth's End, the impact from any potential overlooking to the neighbouring property would be minimised. The windows in the proposed two storey extension would face the gable end of the neighbouring property. The extended brick wall of the single storey extension adjacent to the boundary is proposed to reduce the impact of the dwelling in terms of overlooking from and activity within the garden area. There would be a limited additional overshadowing than is already caused by the existing two storey building. The agent has confirmed that the extension to Barn D could be constructed without harm to the existing hedge between it and Garth's End.

Surrounding residents would clearly be aware of the more intensive residential use of the site, though the scheme has been sensitively designed to address the impact on the amenity of neighbouring occupants. A condition is requested by the

Environmental Protection Unit to restrict hours of construction in the interests of residential amenity.

4.11 Access, parking and highway safety - The site is proposed to be accessed via an existing, already improved driveway from Main Street. The Local Highway Authority raises no objection to the scheme on the basis of this access, parking provision within the site or the effect on highway safety. Conditions are requested (13-17).

4.12 Contamination - A condition to address contamination is requested by Environmental Protection Unit, given the previous uses of the site for agricultural and vehicle related purposes. Attached as condition 10.

4.13 Public open space - Local Plan Policy L1c requires the payment of a commuted sum for site less than 10 dwellings towards off site provision of public open space. This development would generate a sum of £3667.

4.14 Reference has been made by local residents to the refusal of planning permission twice at an adjacent property, Rowan House. The was rejected on Green Belt grounds, harm to conservation area and local character. However, these applications proposed a single house as tandem development within the rear garden area of an existing detached house. It did not relate to existing buildings and would have sub-divided a linear plot, characteristic of Heslington village. Reference is also made to the guidelines in the Village Design Statement regarding change of use of buildings and the presumption against the development of gardens and open spaces. However, the change of use guideline refers to commercial development and the site is not garden or open space.

5.0 CONCLUSION

5.1 On balance, it is considered that the proposal would not cause demonstrable harm to the Green Belt, the character or appearance of the Heslington Conservation Area, the character and amenity of the local area, archaeology, ecology, residential amenity, highway safety or contamination. It would provide an acceptable design, density and mix, and would provide a commuted sum towards provision of public open space. As such, residential reuse of these agricultural buildings from conversion and extension, would be acceptable in planning terms. The application is therefore recommended for approval.

COMMITTEE TO VISIT

6.0 RECOMMENDATION: Approve

1 TIME2

2 The development hereby permitted shall be carried out only in accordance with the following plans:-

Drawing Number 106/031/B "Barn A" received 18 July 2007
Drawing Number 106/033/A "Barn D" received 3 May 2007
Drawing Number 106/032/A "Barn B" received 3 May 2007
Drawing Number 106/030/B "Site Layout" received 3 May 2007

or any plans or details subsequently agreed in writing by the Local Planning Authority as amendment to the approved plans.

Reason: For the avoidance of doubt and to ensure that the development is carried out only as approved by the Local Planning Authority.

- 3 Notwithstanding the provisions of Article 3 of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order), development of the type described in Classes A, B, C, D, E and F of Schedule 2 Part 1 of that Order shall not be carried out without the prior written consent of the Local Planning Authority.

Reason: In the interests of the amenities of the adjoining residents the Local Planning Authority considers that it should exercise control over any future extensions or alterations which, without this condition, may have been carried out as "permitted development" under the above classes of the Town and Country Planning (General Permitted Development) Order 1995.

4 VISQ7

5 VISQ8

- 6 Large scale details of the items listed below shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development and the works shall be carried out in accordance with the approved details.

New windows, doors and rooflights.

Reason: So that the Local Planning Authority may be satisfied with these details.

7 VISQ4

- 8 No demolition or conversion shall take place until the applicant has secured the implementation of an agreed programme of archaeological work (including metrical survey, written description and analysis and photographic recording of the standing buildings), which has been agreed beforehand in writing by the Local Planning Authority, nor until the report and copies of the survey and record have been submitted to and agreed in writing by the Local Planning Authority.

reason: The buildings on this site are of historic importance and must be recorded prior to demolition.

9 ARCH2

- 10 a. A desk study shall be undertaken in order to identify any potentially contaminative uses which have or are currently occurring on the site. This shall include a site description and a site walkover and shall be submitted to and approved by the local planning authority prior to development of the site. Informative: This should, where possible date back to 1800
- b. A site investigation shall be undertaken based upon the findings of the desk study. The investigation shall be carried out in accordance with BS10175: Investigation of potentially contaminated land: code of practice. The results of the investigation shall be submitted to and approved by the local planning authority in writing prior to any development commencing on the site.
- c. A risk-based remedial strategy shall be developed based on the findings of the site investigation. The remedial strategy shall be submitted to and approved by the local planning authority in writing. The approved strategy shall be fully implemented prior to any development commencing on site. Informative: The remedial strategy shall have due regard for UK adopted policy on risk assessment and shall be developed in full consultation with the appropriate regulator(s).
- d. A validation report shall be submitted to and approved by the local planning authority, detailing sample locations and contaminant concentrations prior to any development commencing on site.

Reason: To protect human health and the wider environment.

11 NOISE7

- 12 No development shall take place until full details of what measures for bat mitigation and conservation are proposed and have been submitted to and approved in writing by the Local Planning Authority. The measures shall include:

- i. A plan of how work is to be carried out to take account of bats;
- ii. Details of what provision is to be made within the converted buildings to replace the features lost. Features suitable for incorporation for bats include the use of special tiles, bricks, soffit boards, bat boxes and bat lofts and should at least replace or substitute for what is existing;
- iii. The timing of all operations.

The works shall be implemented in accordance with the approved details and timing unless otherwise approved in writing by the Local Planning Authority.

If bats are discovered during the course of the work, then work should cease and Natural England consulted before continuing.

Reason: To take account of and enhance habitat for a protected species. It should be noted that under PPS9 the replacement/mitigation proposed should provide a net gain in wildlife value.

- 13 HWAY10
- 14 HWAY19
- 15 HWAY21
- 16 HWAY31
- 17 HWAY40
- 18 No development shall take place until there has been submitted and approved in writing by the Local Planning Authority a detailed landscaping scheme which shall illustrate the number, species, height and position of trees and shrubs within the site. This scheme shall be implemented within a period of six months of the completion of the development. Any trees or plants which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless alternatives are agreed in writing by the Local Planning Authority.

Reason: So that the Local Planning Authority may be satisfied with the variety, suitability and disposition of species within the site.

- 19 The use of the buildings adjacent to the southern boundary, with the exception of that converted to provide dwelling D, shall be used for purposes incidental and ancillary to the enjoyment of the dwelling house to which they relate, and shall remain as such at all times.

Reason: In the interests of residential amenity.

- 20 The first floor windows in the east facing elevation of Barn A, shall be fitted with obscure/opaque glazing at all times. No other openings shall be created in the east facing elevation of the existing barn or its extension at any time.
Reason: In the interests of residential amenity.

- 21 No development shall commence unless and until details of provision for public open space facilities or alternative arrangements have been submitted to and approved in writing by the Local Planning Authority. The Open space shall thereafter be provided in accordance with the approved scheme or the alternatives arrangements agreed in writing by the Local Planning Authority and thereafter implemented, prior to first occupation of the development.

Reason: In order to comply with the provisions of Policy L1c of the Development Control Local Plan which requires that all new housing sites make provision for the open space needs of future occupiers.

INFORMATIVE:

The alternative arrangements of the above condition could be satisfied by the completion of a planning obligation made under Section 106 of the Town and

Country Planning Act 1990 by those having a legal interest in the application site, requiring a financial contribution towards off site provision of open space. The obligation should provide for a financial contribution calculated at £3667.

No development can take place on this site until the public open space has been provided or the Planning Obligation has been completed and you are reminded of the local planning authority's enforcement powers in this regard.

7.0 INFORMATIVES: Notes to Applicant

1. REASON FOR APPROVAL

In the opinion of the Local Planning Authority the proposal, subject to the conditions listed above, would not cause undue harm to interests of acknowledged importance, with particular reference to Green Belt, impact on the Conservation Area, impact on amenity, impact on ecology, impact on archaeology. As such the proposal complies with Policies GB1, GB2, GP1, GP4A, GP10, NE1, HE2, HE3, HE10, H3C, H4A, H5A and LIC of the City of York Local Plan Deposit Draft.

2. The use of Barn A is as a dwelling house falling within Class C3 of the Use Classes Order. Any change from this due to the letting out of rooms or the occupation by more than 6 residents or residents living together not as not as a single household may require Planning Permission. Please contact the City Of York Council Planning Department Tel: 01904 551322 for more information.

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