

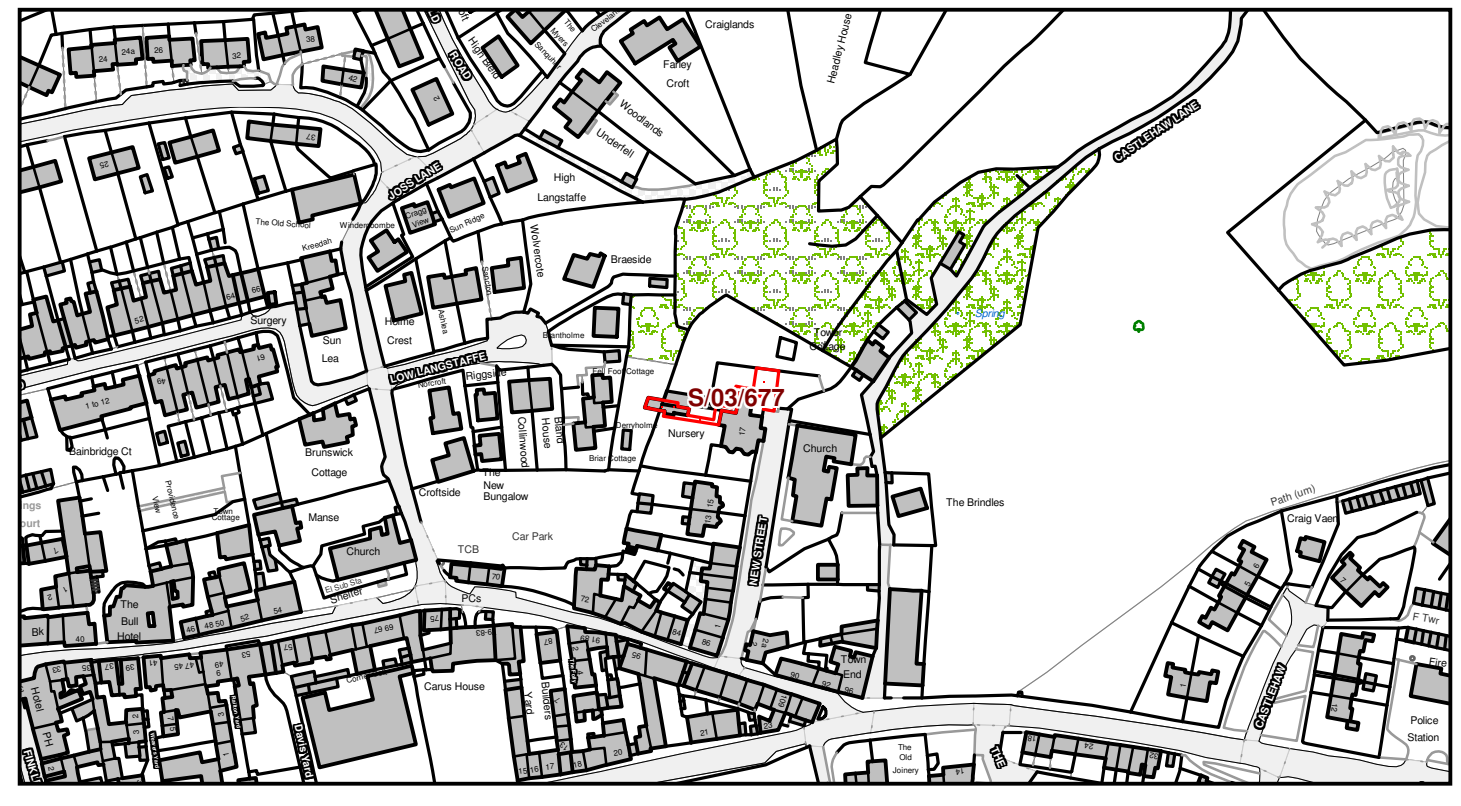
Yorkshire Dales National Park Authority

Application Code: S/03/677

Committee Date: 13/08/2019

Location: Greenbank, 17 New Street, Sedbergh

10



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Schedule No:10

Application No:	S/03/677
District:	South Lakeland
Parish:	Sedbergh
Applicant's Name:	Mr & Mrs Newis,
Grid Ref:	SD65989222
Received by YDNP:	05/04/2019
	Officer: Andrew Bishop

PROPOSAL: full planning permission for conversion of potting shed to holiday letting accommodation

LOCATION: Greenbank, 17 New Street, Sedbergh

CONSULTEES

Sedbergh PC

No Objections in principle: It would be the preference of the Parish that the access to the Joss Lane Car Park be maintained to mitigate against unforeseen parking issues that may arise through the operation of the accommodation unit and the main house. This would prevent the need for any over spill onto New Street which is already a congested area for local residents. As indicated in the application we would like to see a condition which links the new accommodation to the main house as a 'holiday let' thus preventing its use as a permanent dwelling or its future disposal as a separate unit.

Highways, Cumbria County Council

No objection.

United Utilities Water Ltd

No comments received.

Senior Listed Building Officer

No comments.

Firefighter in Fire Protection

No comments received.

Wildlife Conservation Officer

No objection. Advise erection of bird nesting box.

Trees & Woodlands

No objection subject to protection of TPO'd trees.

Senior Historic Environment Officer

No objections.

PUBLIC RESPONSES

A correspondent is concerned about the potential increase in traffic, access and parking.

RELEVANT PLANNING POLICIES

Schedule No:10

C1(15) - Land for new build housing

L1(15) - Heritage assets

L2(15) - Conversion of traditional building - acceptable uses

L3(15) - Conversion of traditional buildings - building treatment

W1(15) - Wildlife sites, species and networks

W2(15) - Biodiversity enhancement

W3(15) - Protecting trees, hedgerows and walls

SP1(15) - Presumption in favour of Sustainable Development

SP2(15) - National Park Purposes

SP4(15) - Development Quality

OFFICER OBSERVATIONS

REASON FOR COMMITTEE CONSIDERATION

This application is reported to the Planning Committee for the following reason: in the opinion of the Head of Development Management it is in the best interests of the National Park Authority that the application is considered by the Committee.

APPLICATION SITE

Greenbank is a large detached Victorian house located within the northern edge of Sedbergh. The house is situated at the top of New Street, which is a privately maintained road serving a number of other residential properties, a church and a commercial premises. Greenbank's garden rises away from the town on several terraced levels. It extends across the hillside from New Street to the rear of the public car park in Joss Lane. A number of mature trees within the garden are covered by a Tree Preservation Order.

The application relates to a stone built potting shed positioned at the centre of the garden some 10.5m from the house on the same terrace level. The potting shed is single storey and consists of two rooms on split levels. There is an attached timber summerhouse and a lean-to arcade extending towards the house used for wood fuel and storage that do not form part of the conversion scheme. The potting shed is only accessible via pedestrian paths that pass the rear of the house or go through a gate in the corner of the garden onto the public car park.

PROPOSAL

The proposal is for the potting shed to be converted to a short term holiday let. The accommodation would consist of an open plan living, dining and kitchen and a single bedroom and shower room. A very small extension is proposed that would fill in a recess where it abuts a high feature wall that separates a formal parterre garden next to the house from a more naturally landscaped part of the garden. A dedicated off-road parking space is identified for its use alongside the private parking immediately to the rear of Greenbank. The holiday letting unit would have the use of part of the adjoining covered lean-to as a private sitting area.

RELEVANT PLANNING HISTORY

Conservation area consent (ref Y8/89/3/062) was approved for the demolition of these single storey out-buildings in 1989 in order to prepare the way for the erection of a bungalow. An application (Y8/89/3/063) to build a bungalow on the site was refused due to the impact on mature trees of amenity value. Those trees are not protected by a Tree

Schedule No:10

Preservation Order.

A second application made in 1989 (Y8/89/3/127) for the building of a detached bungalow at a different location within the garden of Greenbank was approved. This permission has not been implemented. A permission granted in 1980 (Y8/80/5080) for the erection of a double garage has also not been implemented.

KEY ISSUES

- principle of the development
- impact on character and appearance of the building and its setting
- impact on heritage assets
- residential amenity and privacy
- highway safety
- protected wildlife species
- parish council comments

PRINCIPLE OF THE DEVELOPMENT

The National Planning Policy Framework (NPPF 2019) sets out the purpose of the planning system: to contribute to the achievement of sustainable development. It directs planning authorities to avoid the development of isolated homes in the countryside unless certain circumstances apply. The circumstances listed include - "the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets" and "the development would re-use redundant or disused buildings and enhance its immediate setting."

The Yorkshire Dales Local Plan (2015-30) aims to deliver sustainable development in the National Park context. It aims to achieve the conservation and enhancement of traditional buildings (heritage assets) by allowing them to be adapted or converted to new uses, providing the building and its landscape have the capacity to absorb them.

Policy L1 considers development affecting heritage assets. Traditional buildings may be designated as Listed Buildings or are considered to be 'heritage assets' despite not being designated. Proposals affecting undesignated heritage assets that are demonstrably of equivalent significance to designated heritage assets will be treated as though they were designated for the purposes of the policy.

Policy L2 is a strategic spatial planning policy. It allows traditional buildings to be changed to residential and employment uses in certain locations (in existing settlements, building groups, or suitable roadside locations). Intensive uses will not be appropriate in buildings that are isolated in the landscape and a change of use only allowed in isolated buildings where there would be no material alteration to the exterior of the building or its surroundings.

Policy L3 considers the details of the conversion works. Proposals will not be allowed where they undermine the architectural and historic character of the traditional building and its landscape setting. The building must have the physical capacity to accommodate the new use without significant extension or alteration or requiring new ancillary buildings.

A proposal to convert a traditional building to a new use must satisfy the requirements of all three policies.

Greenbank was erected in 1853 and is a substantial detached property but it is not a listed

Schedule No:10

building and neither is the potting shed or any other structures within its grounds. Nevertheless the Victorian era house and its extensive mature gardens contribute to the character of this part of the Sedbergh Conservation Area. The stone built potting shed dates from the very early 20th Century and fits sympathetically into a corner of the formal walled parterre garden on the western side of the house. It is designed for its purpose of serving the gardening needs of the house and its architectural merits are therefore very modest and are not of equivalent significance to a designated listed building.

The age and construction of the potting shed mean that it meets the definition of a traditional building albeit of limited heritage significance. The gardens of Greenbank are divided by the boundary but the potting shed is just within the settlement boundary for Sedbergh. Policy L2 allows the change of use of a traditional building in a settlement to short stay visitor accommodation, subject to the completion of a S106 agreement. An acceptable conversion scheme needs to ensure that the historic character of the potting shed and heritage significance of the conservation area are not undermined in accordance with the criteria set out in Policy L3.

As the potting shed is within the settlement boundary of Sedbergh Policy C1 – ‘Housing in settlements’ is relevant. However, it is considered that the location of the potting shed, in such close proximity to Greenbank makes it an unsuitable location for a dwelling in permanent occupation. A conversion to short term holiday letting would be an appropriate use if the occupation of the potting shed is controlled by the occupiers of the main house. For these reasons policy L2 is of more relevance than C1. It is considered that the proposal would be in accordance with the development plan, taken as a whole, subject to controls tying the holiday accommodation to the main house.

IMPACT ON CHARACTER AND APPEARANCE OF THE BUILDING AND ITS SETTING

The proposed scheme would see the two rooms of the stone potting shed converted into a very small dwelling unit that would be appropriate for short term holiday use. A small insignificant extension is proposed in a corner formed by a forward projection and a high garden wall. This would be under a continuation of the roof slope and add 2 square metres of floor space and have very little visual impact. The form and size of the building would otherwise be maintained.

The potting shed is well served by existing windows, which include a full width south facing clerestory at ridge height. No additional windows are proposed to the potting shed itself. It currently has three external doorways and one into the timber summerhouse. The doorway into the summerhouse and that on the side facing the main house would be closed up in stonework. The adjoining lean-to would be divided by a new internal wall and a doorway formed in the garden wall so that the holiday unit had a private enclosed sitting out area.

The proposals would make the potting shed usable as a separate little holiday unit without making significant changes to its overall appearance or affect its character as a subservient outbuilding.

IMPACT ON HERITAGE ASSETS

Section 72 of the Town & Country Listed Building & Conservation Areas Act 1990 requires the local planning authority to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area when considering proposals for development within conservation areas.

Greenbank and its gardens are within the Sedbergh Conservation Area. The gardens of

Schedule No:10

the house are seen rising above the Joss Lane car park and in views looking up New Street. The location of the single storey potting shed at the centre of the mature gardens means that it is hard to distinguish from outside the garden. It is screened by the house of Greenbank, a tall garden wall, mature trees and shrubs. It therefore makes very little visual contribution to this part of Sedbergh. The proposed conversion scheme does not change the scale, form or materials of the building. The proposals would not harm the character and appearance of the Sedbergh Conservation Area.

TREES

There are a couple of Sycamore trees on a terrace level above the potting shed that are protected by a Tree Preservation Order. The applicant has advised no surface level changes, excavation or surface type changes over the root protection zones of the trees so that the roots should not be damaged. The trees would not be directly affected by the proposed conversion and the Trees and Woodlands Officer has no objection. As the trees are on the north side of the potting shed there should be no additional pressure to reduce overhanging branches. As there is a risk that materials could be stored under the trees or some other inadvertent damage could be caused some protective fencing would be required during the conversion works.

RESIDENTIAL AMENITY AND PRIVACY

The garden is overlooked by some upper windows of a few neighbouring houses. The nearest facing windows between a neighbouring property and the potting shed are over 21m apart. This distance would protect the privacy of both the neighbour and the occupants of the new unit. The potting shed has a small side window and a glazed doorway which would face the main house at a distance of some 15m. These are not the main windows to the single storey accommodation. As the occupant's of Greenbank would be in control of the occupation of the holiday unit there would be no undue loss of residential amenity and privacy.

HIGHWAY SAFETY

The proposed holiday let would have the use of one of the four off-road car parking spaces next to the main house at the top of New Street. A correspondent is concerned that the potential increase in traffic may have an impact outside the site. The parking allocation is sufficient for the additional one bedroom accommodation and the existing house. The Highway Authority has no objections.

IMPACT ON PROTECTED WILDLIFE SPECIES

Bats are a Protected Species by virtue of the EU Habitats Directive and the Conservation of Habitats and Species Regulations 2010. Regulation 9 of the Regulations provides that the local planning authority in the exercise of their functions, shall have regard to the requirements of the Habitats Directive.

The application has been supported by a bat scoping survey. No evidence of bat activity was found within any part of the outbuildings. The report concludes that there is a low risk of disturbance to bats. The mitigation within the report should be followed as a precautionary approach. The Authority's Wildlife and Conservation Officer has been consulted and has no objection to the proposals. They suggest that the erection of a bird box would be suitable biodiversity enhancement.

PARISH COUNCIL COMMENTS

Sedbergh Parish Council has no objections in principle. As suggested by the Parish Council the existing pedestrian access onto the Joss Lane Car Park would be maintained

Schedule No:10

should the occupants need to park there instead of on the private off-road space accessed from New Street. It would be more appropriate for the S106 to include a provision that the new accommodation is only used in association with the occupation of the main house. This would prevent its use or disposal as a permanent separate dwelling.

ANALYSIS AND MATERIAL CONSIDERATIONS

The proposed conversion of the potting shed outbuilding to a short term holiday let meets the locational requirements of policy L2 and the scheme would not harm the heritage significance of the building, the character and appearance of the Sedbergh Conservation Area, trees protected by a Tree Preservation Order, residential amenity, highway safety or protected wildlife species. It is considered that the proposal complies with policies SP1, SP2, SP4, L1, L2, L3, W1, W2, W3 and C1 of the Yorkshire Dales Local Plan (2015-2030) and the guidance in the National Planning Policy Framework (2019).

RECOMMENDATION

That permission be granted subject to the completion of a S106 agreement restricting occupation to short term holiday letting and tying the ownership of the converted potting shed to that of the main house, Greenbank and the following conditions:

- time limit
- specified plans
- detailing of conversion work including roofing slates, stonework, pointing, cills and lintels, rooflights, windows and doors, rainwater goods, vents and flues
- no demolition and rebuilding of walls
- no sand or shot blasting of stonework
- external lighting
- hard and soft landscaping details
- tree protection and method statement for all works likely to affect trees
- bin storage
- unexpected contamination
- car parking and turning area to be retained
- erection of bat roosting box
- removal of permitted development rights for alterations, extensions and curtilage buildings