


Cundalls

15 Market Place, Malton, North Yorkshire, YO17 7LP



Prior Approval: Change of Use of Agricultural Building to Form
No.3 Dwellinghouses at Crescent Grange Farm, Royal Oak, Filey, YO14 9QE

Design and Access Statement



May 2023

Applicant: A Garside

APPLICATION DETAILS

Applicant: Mr Andrew Garside

Applicant address: Crescent Grange Farm, Royal Oak, Filey, North Yorkshire YO14 9QE

Application Address: Crescent Grange Farm, Royal Oak, Filey, North Yorkshire YO14 9QE

Applicants Agent: Edward Wilkinson BSc (Hons) MRICS FAAV, Cundalls Chartered Surveyors

Agents Address: Cundalls, 15 Market Place, Malton, YO17 7LP

Site Address: Existing Agricultural Building within the Farmyard at Crescent Grange Farm, Royal Oak, Filey

Application Title: Prior Approval: Change of Use of Agricultural Building to Form No.3 Dwellinghouse at Crescent Grange Farm, Royal Oak, Filey

Application Type: Prior Approval: Change of Use of Agricultural Building to Dwellinghouse

Application Date: May 2023

Location: Filey, North Yorkshire

Proposal: Prior Approval: Change of Use of Agricultural Building to form No.3 Dwellinghouse at Crescent Grange Farm, Royal Oak, Filey,

Access: Vehicular access to Crescent Grange Farm will be via existing entrances to the property.

Sufficient parking and amenity facilities to the building

INTRODUCTION

This Prior Approval for the Change of Use of an Agricultural Building to form Three Dwellinghouses at Crescent Grange Farm, Royal Oak.

AMOUNT

The amount of the development is an area extending to 463.54 sq.m. subject to the Prior Approval: Change of Use of Agricultural to Dwellinghouse. It comprises two larger dwellinghouses and one smaller dwellinghouse.

USE

The subject buildings are agricultural barns which as of 20th March 2013 was used Solely for Agricultural Purposes as part of an established agricultural unit. The subject building is part of the Agricultural Unit, farmed and operated by the Applicant, Mr. Andrew Garside and is not subject to an agricultural tenancy.

The building has formerly been used as livestock housing and agricultural storage, in support of the applicant's agricultural business.

LAYOUT

The applicant has specifically chosen the subject buildings as they sit sympathetically into the surrounding environment. It is set within the curtilage of the farmyard with ample car parking and amenity space including bin storage and garden.

The proposed cottages extend to:

Cottage 1: 15.50m x 6.50m – *Two storey*
Cottage 2: 15.25m x 5.87m – *Two storey*
Cottage 3: 15.00m x 5.50m – *Single storey*

They are accessed off the existing, hard standing access which leads directly off Moor Road and Royal Oak.

ACCESS

The site is level and access will be provided through the existing access point. There will be no alterations to the existing vehicular access to the site which is off Lords Moor Lane with sufficient visibility.

With the dwelling to be occupied by the Applicants family, this will reduce the number of vehicle movements, to and from the site.



Access to Crescent Grange Farm, facing south – Off Royal Oak



Access to Crescent Grange Farm, facing north – Off Royal Oak



Access to Crescent Grange Farm, facing south – Moor Road



Access to Crescent Grange Farm, facing north – Moor Road

TREE SURVEY AND ARBORICULTURAL IMPLICATIONS

The subject site and its development will not affect any adjacent or existing trees or have any negative arboriculture implications whatsoever.

There are no trees on the proposed area subject to a change of use and therefore none will be affected by this development.

All adjacent trees and mature hedgerows will be retained and maintained by the Applicant.

DRAINAGE

Rainwater:

This will be harvested and collected in an existing underground tank. This can be re-used for showering, washing machines etc. The rainwater system will be maintained correctly, and the water quality is appropriate for the intended use.

Foul Drainage:

As noted in the application, connection to the mains drainage is proposed to service the cottages.

J U S T I F I C A T I O N

The enclosed application seeks consent for a change of use of an Agricultural Building to form No. Three Dwellinghouses.

The application has been prepared and in-line with The Town and Country Planning (General Permitted Development) (England) 2015.

We understand that in accordance with Schedule Two; Part Three; Class Q the proposed development complies and adheres with the following national policies:

GENERAL PERMITTED DEVELOPMENT ORDER 2015

SCHEDULE TWO – PART THREE – CLASS Q

We have reviewed the General Permitted Development Order and meet the requirements set out within the Order as noted below:

Class Q – agricultural buildings to dwellinghouses

Permitted development

Q. Development consisting of—

(a) ***a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and***

(b) ***building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.***

Development not permitted

Q.1 Development is not permitted by Class Q if—

(a) the site was not used solely for an agricultural use as part of an established agricultural unit—

(i) on 20th March 2013, or ***Subject building used solely for an agricultural use as part of an established agricultural unit***

(ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use, or ***N/A***

(iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins; ***N/A***

(b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 465 square metres; ***Cumulative floor space does not exceed 465sq.m.***

(c)the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds 3;

Cumulative Units does not exceed 3

(d)the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

Owner Occupier – no tenancies

(e)less than 1 year before the date development begins—

(i)an agricultural tenancy over the site has been terminated, and

N/A

(ii)the termination was for the purpose of carrying out development under Class Q,

unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

N/A

(f)development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i)since 20th March 2013; or

N/A

(ii)where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

(g)the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

External Dimensions will not be affected

(h)the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 465 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

Cumulative floor space does not exceed 465sq.m.

(i)the development under Class Q(b) would consist of building operations other than—

(i)the installation or replacement of—

(aa)windows, doors, roofs, or exterior walls, or

(bb)water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse;

Window and Door installation / replacement will be required.

The buildings benefit from existing supply of water and electric. Mains drainage is available to the west of the buildings and will services the proposed cottages.

The steel portal frame, agricultural building to the north west of the site will be removed and it is proposed to be re-located away from the site. The lean-to structures to each of the three cottages will be removed.

The remaining structures will be converted as per the floorplans submitted and the visual appearance will be maintained to ensure the impact is reduced. and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

Partial demolition as detailed above and is reasonably necessary.

- (j) the site is on article 2(3) land; **Not within National Park or AONB**
- (k) the site is, or forms part of—
 - (i) a site of special scientific interest; **Not within a SSSI**
 - (ii) a safety hazard area; **Not within a safety hazard area**
 - (iii) a military explosives storage area; **Not within a military explosives storage area**
- (l) the site is, or contains, a scheduled monument; or **Does not contain a Scheduled Monument**
- (m) the building is a listed building. **Not a listed building**

Conditions

Q.2—(1) Where the development proposed is development under Class Q(a) together with development under Class Q(b), development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to—

- (a) transport and highways impacts of the development, **As detailed above**
 - (b) noise impacts of the development, **As detailed above – none**
 - (c) contamination risks on the site, **As detailed above – none**
 - (d) flooding risks on the site, **As detailed within the application – Flood Risk Zone 1**
 - (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order, and
 - (f) the design or external appearance of the building,
- and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(2) Where the development proposed is development under Class Q(a) only, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (e) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.

(3) Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.