

Parish: Crayke
Ward: Easingwold
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Committee date: 18 October 2018
Officer dealing: Mrs C Strudwick
Target date: 26 October 2018

18/01472/FUL

Demolition of garage and workshop and construction of a detached four-bedroom, two-storey dwelling - as per amended plans received by Hambleton District Council 21st September 2018

At Oak Cottage, Church Hill, Crayke

For Mr N Jackson

This application is referred to Planning Committee as the application is a departure from the Development Plan

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site lies on the eastern side of Church Hill within the Crayke Conservation Area. The building is currently used as an outbuilding in association with the dwelling known as Oak Cottage, which is elevated to the north of the application site. The property to the front, and south west of the application site is a Grade II Listed building, known as Wellesley Cottage. The rear domestic curtilage of Wellesley Cottage is to the south of the proposed site, and is at a lower level than the site level at the application site.
- 1.2 This application seeks permission to demolish the current development on site, and replace it with a four bedroom dwelling. The site is accessed from Church Hill to the north of Wellesley. The site is currently part of Oak Cottage's curtilage. Oak Cottage has its own vehicular access directly off Church Hill and so the access to the application site would solely be for the proposed dwelling.
- 1.3 The dwelling is designed with a variety of heights at both eaves and ridge, and the south east elevation of the proposed dwelling follows the boundary with the garden of Wellesley Cottage. The scheme provides private amenity space to the north of the dwelling.
- 1.4 Improvements have been secured as follows:
 - The elevational windows on the south side of the building have been removed from the proposal to avoid issues of overlooking and impact on privacy. The rooflights in the roof slope are retained.
 - The impact of the property has been reduced by setting it down in the site. The proposal had previously had a series of steps down to it, and these have been amended to slopes to allow access for all.
 - The amount of domestic curtilage has been enlarged to an appropriate size for a dwelling of this scale.
 - The design of the dwelling has been altered from an overtly domestic double fronted house, to a design which is suggestive of a converted outbuilding within the curtilage of a host dwelling. This has been done to respect the setting of the Listed Building and the Conservation Area, to achieve a design that it is more appropriate to the position to the rear of the Listed Building.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 14/00360/FUL Alterations to and change of use of domestic garage/workshop to a dwelling; application approved April 2014

3.0 RELEVANT PLANNING POLICIES

3.1 The relevant policies are:

- Core Strategy Policy CP1 - Sustainable development
- Core Strategy Policy CP2 - Access
- Core Strategy Policy CP4 - Settlement hierarchy
- Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
- Core Strategy Policy CP19 - Recreational facilities and amenity open space
- Development Policies DP1 - Protecting amenity
- Development Policies DP3 - Site accessibility
- Development Policies DP4 - Access for all
- Development Policies DP9 - Development outside Development Limits
- Development Policies DP28 - Conservation
- Development Policies DP32 - General design
- Development Policies DP37 - Open space, sport and recreation
- National Planning Policy Framework

4.0 CONSULTATIONS

4.1 Parish Council – objections have been received in response to both the original consultation and the additional 10 day consultation for the revised plans. The Parish Council objects to the application on the grounds that the change from the previously approved 1 bedroom retirement home to a 4 bedroom house:

- will result in a substantial increase in size and height with a greater expanse of roof especially as seen from the Green
- is outside the current building envelope
- will significantly increase the impact of traffic movements across the Green and the potential parking problems on Church Hill

4.2 Highway Authority – Recommended conditions

4.3 Howardian Hills AONB –Following an original objection to the scheme the following comments have been submitted about the revised plans:

- The design for the south west elevation is a significant improvement, with the deletion of the dormer windows and prominent façade. This significantly reduces the perceived bulk of the proposed dwelling.
- This will reduce the visual impact on the Conservation Area that would have been created by the initial proposal and I therefore have no further objection to the scheme.

4.4 Public comments – One objection have been received from the occupant of the neighbouring property to the south west Wellesley Cottage for the following reasons, this submission was made in response to the original scheme:

- The site out outside development limits; there is no exceptional case as set out in CP4 for the principle of development

- The proposed dwelling will result in severe over bearing and overlooking on Wellesley Cottage
- The proposed development by virtue of its scale, volume and massing is not considered to respect or enhance the nearby surroundings.
- The proposed two storey, four bedroom dwelling would be of a size and scale which would result in a significantly more prominent feature within the street scene and would thus fail to preserve or enhance the character or appearance of Crayke Conservation Area.

5.0 OBSERVATIONS

- 5.1 The main issues to consider are: (i) The principle of development, (ii) impact of the proposal on the character and appearance of the neighbouring listed building, (iii) impact upon the Conservation Area, (iv) impact upon the amenities of the nearby neighbours and (v) highway safety

Principle of development

- 5.2 The application site lies outside the Development Limits of any sustainable location and therefore development should only be granted if an exceptional case can be made in terms of Policies CP1 and CP2 and in respect of the criteria within Policy CP4.
- 5.3 The application site is outside the Development Boundaries of the village of Crayke, and therefore the proposals are not in strict accordance with Policy CP4 and DP9 but need to be considered in light of the NPPF (in particular Paragraph 55) and the Council's Interim Planning Guidance which seeks to guide Local Plan policies and the appropriateness of development in relation to small scale developments close to existing settlements.
- 5.4 The Interim Guidance (IPG) states that small scale housing development will be supported in villages where it contributes towards achieving sustainable development by maintaining or enhancing the vitality of the local community and where it meets all of the following criteria:
- i. Development should be located where it will support local services including services in a village nearby.
 - ii. Development must be small in scale, reflecting the existing built form and character of the village.
 - iii. Development must not have a detrimental impact on the natural, built and historic environment.
 - iv. Development should have no detrimental impact on the open character and appearance of the surrounding countryside or lead to the coalescence of settlements.
 - v. Development must be capable of being accommodated within the capacity of existing or planned infrastructure.
 - vi. Development must conform with all other relevant LDF policies.

5.5 It is considered that in relation to criterion i) the proposal site is on the development limit boundary and therefore on the immediate fringe of Crayke, with the services and facilities of Crayke within walking distance.

5.6 In relation to the first part of criterion ii) the development would be small scale at one dwelling. Detailed consideration of the other aspects and criteria of the guidance note are discussed below.

Impact of the proposal on the character and appearance of the neighbouring listed building

5.7 Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in determining a planning application for development which affects a listed building or its setting, the Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

5.8 Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that in exercising an Authority's planning function special attention shall be paid to the desirability of preserving or enhancing the character or appearance of Conservation Areas.

5.9 The National Planning Policy Framework at paras 189, 190 and 192 requires an assessment of the potential harm a proposed development would have upon the significance of a designated heritage asset and requires that harm should be weighed against the public benefits of the proposal, including securing the optimum viable use of the building.

5.10 The proposal has been amended from an overtly domestic dwelling, with flat roof dormers to design which seeks to replicate an outhouse conversion. This ensures that the listed building (Wellesley Cottage) remains the principle building when viewed from the street, and the proposed dwelling will appear ancillary to the dwellings on the Church Hill frontage despite it being an independent dwelling.

5.11 The proposed principle ridge line of the dwelling is shown as approximately 500mm below that of Wellesley Cottage, and so is not competing in terms of scale or prominence; rather it will complement and be subservient to the listed building.

5.12 It is considered that the character and appearance of the grade II listed building; Wellesley Cottage is protected, and the construction of the dwelling will not unacceptably impact upon the character and setting of the Listed Building (Wellesley Cottage).

Impact upon the Conservation Area

5.13 The concerns regarding the impact on the Crayke Conservation Area have been addressed through the amendments to the design of the dwelling noted at paragraph 1.4 of this report. These amendments also address the concerns of the AONB manager.

5.14 The proposal preserves the traditional layout of the village form, with traditionally styled dwellings on the frontage with outhouses to the rear. The design of the property would also remove the large metal roller shutter door, which negatively impacts on the Conservation Area and replaces this with a front elevation which includes recessed infilled openings, to imitate detailing found on barn conversions.

5.15 In assessing the proposal considerable importance and weight has been given to the desirability of preserving and enhance the character and appearance of the heritage

asset. It is considered that the proposed alterations will preserve the character and appearance of the Conservation Area.

- 5.16 It is noted that the proposed materials include upvc window frames; given the location within the Conservation Area and proximity to a listed building, timber frames would be a more appropriate material. A planning condition is recommended to be used to control the materials in the event of an approval.

Impact upon the amenities of the nearby neighbours

- 5.17 Concern has been raised by the neighbours regarding the impact of the development on the residential amenity of the occupiers of Wellesley Cottage. The windows on the south east aspect, which would have overlooked the garden of Wellesley Cottage have been removed from the amended plan, removing this opportunity for overlooking. The first floor window on the southwest elevation, which faces onto the rear of Wellesley Cottage is shown as obscured glazed which overcomes the issue of overlooking.
- 5.18 The footprint of the dwelling is not proposed to extend beyond the existing garage building. The proposed dwelling has a ridge line that steps down by 46cm, the ridge line of the lower element which runs along the length of the boundary with Wellesley Cottage will be approx. 10cm higher than the existing garage ridge line. As such the proposed development will not give rise to significant increase in overshadowing or over bearing of the garden of Wellesley Cottage.
- 5.19 It is considered that the concerns for the potential for unacceptable impacts on the neighbours raised by both the planning officer and the occupants of Wellesley Cottage have been addressed through the revision of the scheme, and the proposal will adequately protect the neighbouring amenity.
- 5.20 Following revisions to the site layout, there is sufficient domestic curtilage for both the occupants of Oak Cottage and the proposed dwelling.

Highways

- 5.21 The Highway Authority has no objection to the proposed works subject to appropriate conditions.
- 5.22 The proposal includes the provision of two parking spaces within the curtilage; there is sufficient space within the site area for the parking and turning of 2 vehicles. It is not expected that the proposal will result in increased pressure for parking on the village green.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations permission is **GRANTED** subject to the following conditions:
1. The development hereby permitted shall be begun within three years of the date of this permission.
 2. The permission hereby granted shall not be undertaken other than in complete accordance with the drawing(s) numbered 3696-PD-00A, 07B, 04B, 06B and 05A received by Hambleton District Council on 21st September 2018 unless otherwise approved in writing by the Local Planning Authority.

3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.
4. No part of the development shall be brought into use until the approved vehicle parking, manoeuvring and turning areas have been constructed in accordance with the submitted drawing (Reference 3696-PD-07 Rev.B). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
5. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order for the time being in force relating to 'permitted development', no window openings shall be formed in the southeast elevation; without the prior written consent of the Local Planning Authority.

The reasons for the above conditions are:-

1. 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.
2. 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 Development Plan Policies CP16 and DP28, DP32.
3. To ensure that the external appearance of the development is compatible with the immediate surroundings of the site and the area as a whole in accordance with Hambleton Local Development Framework Policy CP17.
4. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development in accordance with Local Development Framework Policies CP1 and DP3.
5. To safeguard the amenities of occupiers of adjoining residential property in accordance with Local Development Framework Core Strategy and Development Policies CP1 and DP1.