

Parish: Northallerton
Ward: Northallerton South
9

Committee date: 18 October 2018
Officer dealing: Mrs Tracy Price
Target date: 1 August 2018

18/01024/REM

**Reserved matters application for six dwellings
At D Oakley Limited, 68 Romanby Road, Northallerton
For Park Quadrant Homes**

This application is referred to Planning Committee at the request of a Member of the Council.

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is located a short distance from Northallerton town centre, within the development limits of Northallerton (with Romanby). It is currently occupied by a long established local joinery business. The agent advises that the business is moving to other premises within the town. The surrounding uses comprise mainly residential terraced buildings and a Christian centre, which accommodates a large scale detached building, which stands on the corner of the site, acting somewhat as a local landmark. The terrace buildings are sited close up to the pavements, although Springwell Terrace East and West extend perpendicular to the road to the west of the site. The one anomaly to terraced properties is a pair of semi-detached properties to the west of the site.
- 1.2 The existing buildings on the site reflect this historic form and layout of the development in the area. The traditional brick buildings sit hard up to the pavement, creating an internal courtyard area. The buildings are of some character and local interest. However, it was recognised that they are not best suited to modern day business requirements and are surrounded by residential uses when outline permission was granted for their redevelopment with housing in 2017.
- 1.3 The outline permission was for seven dwellings (17/01059/OUT). Approval is now sought for the reserved matters of access, appearance, landscaping, layout and scale for six dwellings. The dwellings would comprise a pair of semi-detached houses and a terrace of three properties to the north edge of the site with south facing gardens and a detached dwelling to the south western corner of the site. The layout of the site would provide a secure courtyard parking area for each property with access off Romanby Road. The semi-detached and terraced property would comprise three bedrooms, two bathrooms, ensuite, lounge and a kitchen/diningroom. The detached property will comprise an open plan lounge/dining area with a study, kitchen, garage, four bedrooms, bathroom, ensuite and wc. Small garden areas are to be provided for all dwellings.
- 1.4 Amended plans have been received (03.10.18) which includes a re design of plot 1 by rotating the front elevation to the east, increased landscaping on site, a bin storage area to the south east of the site and an introduction of two visitor parking spaces. This results in a single parking space for plots 4, 5 and 6 and 2 spaces for plots 1, 2 and 3.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 17/01059/OUT - Outline application for the redevelopment of the site with seven dwellings; Granted 20 November 2017.

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 CP17 - Promoting high quality design
Development Policy DP1 - Protecting amenity
Development Policy DP3 - Site accessibility
Development Policy DP4 - Access for all
Development Policy DP8 - Development Limits
Development Policy DP32 - General design
Development Policy DP33 – Landscaping
Development Policy DP43 - Flooding and floodplains
Size, Type and Tenure of New Homes SPD - adopted September 2015
National Planning Policy Framework - published July 2018

4.0 CONSULTATIONS

4.1 Parish Council – No objection.

4.2 Highway Authority – No objection subject to standard conditions. Note to officer 'concern must be expressed with regard to the layout of the car parking for the scheme. Although 2 parking spaces are provided for each dwelling it is considered that some of the parking spaces will be difficult to access and will require multiple manoeuvres within the parking forecourt'.

4.3 Yorkshire Water – No comment however the developer should note that Yorkshire Water would expect a minimum of 30% reduction from the current rate of surface water that enters the public sewerage.

4.4 Environmental Health (land contamination) – Have assessed the Phase 1 Desk Top Study (Soil Environment Services Ltd, Report reference SES/PQH/RR/1#1, July 2018) submitted in support of the above development. The report identifies potential significant risks from contamination such as hydrocarbons, metals, solvents and asbestos. The report recommends a Phase 2 site investigation is undertaken consisting of boreholes, soil sampling and analysis for a range of contaminants including metals, hydrocarbons, VOCs, SVOCs and asbestos. Can confirm that they agree with these recommendations and therefore would recommend 5 conditions to ensure these works are carried out in order to deliver a safe development.

4.5 Environmental Health – No objections

4.6 Natural England – No comments to make.

4.7 Public comments - Thirteen representations have been received including a petition objecting to the scheme with 11 signatures. The representations are briefly summarised as:

- Noise and vibration during demolition and construction;
- The roof line of the terrace blocks should be slightly reduced, to be in line with the existing building to the east;
- Bungalow would be better suited (as originally proposed) loss of light.
- Concern regarding the gap between back of plot 1 and the garages on Springwell Terrace East, will this still be no access?
- Massing and density of the development on the proposed small piece of land.
- There will be increased air pollution due to the aforementioned traffic and the dwellings will create increased CO2 emissions.

- Note there are 2 parking bays per dwelling thereby increasing traffic flow on an already busy road due to the nearby residential estates (Weavers Green and Allerton).
- The proposed new development designs will look out of place and will be too dominating and overbearing in terms of the small footprint and also out of character of built form in the street.
- The appearance of the residential houses currently surrounding the new development uses grey roof tiles, not red tiles. D Oakley Builders Yard has a mix of grey and red tiles. It would make sense for the developers to use grey tiles if they are trying to maintain the built form of the street.
- The Plot 1 proposed dwelling will cause a loss of privacy through overlooking and create a greater sense of enclosure because of the close proximity and height of the proposed dwelling which is out of context with the surrounding terrace houses.
- Alter plot 1 so it is a bungalow reducing its impact for neighbouring properties.

5.0 OBSERVATIONS

- 5.1 The principle of residential redevelopment has already been established through the granting of outline planning permission 17/01059/OUT. Therefore the main considerations in the determination of this application are whether the details of the proposed development are suitable in terms of (i) design and form; and whether the development would have any detrimental impact on (ii) residential amenity; or (iii) highway safety.
- 5.2 The main issues to consider are: (i) Design; (ii) Amenity; (iii) Neighbour observations; (iv) landscaping; (v) Highways; and (vi) Bats/Land Contamination

Design

- 5.3 One of Hambleton's strategic planning objectives, set out in The Core Strategy Local Development Document (2007), is 'To protect and enhance the historic heritage and the unique character and identity of the towns and villages by ensuring that new developments are appropriate in terms of scale and location in the context of settlement form and character.'
- 5.4 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of the local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.5 The National Planning Policy Framework supports this approach and, at paragraph 130, states that planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions. Paragraph 66 sets an expectation that the applicants engage with the local community in drawing up the design of their schemes; 'Applicants will be expected to work closely with those directly affected by their proposals to evolve designs that take account of the views of the community. Proposals that can demonstrate this in developing the design of the new development should be looked on more favourably.'
- 5.6 The submitted Design and Access Statement describes how alternative options have been considered and discounted, and the evolution of the design process is documented. The site had outline planning permission for 7 dwellings with associated parking. The number of dwellings has been reduced to 6 due to the space restrictions on the site. The majority of the dwellings will have a south facing garden which will

back onto a courtyard parking and access area. The built form has been maintained to reflect the existing built form of the terraces near to the Christian Centre with the semi-detached buildings forming a bridge to the other semi-detached houses to the west of the site on Springwell Lane. The detached plot uses the boundary line to fit its location, the rotation of the design by having the entrance at the east elevation has reduced its overall impact on Romanby Road.

- 5.7 The main two storey form is at the Springwell Lane side of the site, the layout of the site is considered to respect the existing form and development of the site. It is considered that there is a natural visual link with the Christian Community Centre building to the east in terms of height and visual appearance. It is noted that the tight nature of Romanby Road vista with buildings being close to each other across a tight road is better suited to the access. The position of the detached house again forms a visual link to the layout of the existing site forming a stop at the back of the new development the same as the existing yard. Overall the design will respect the local character in terms of scale, volume and massing and will use the space efficiently with natural surveillance and usable pedestrian and vehicular access.
- 5.8 The layout of the site is tight, endeavouring to fit 6 relatively large houses into the site, along with private amenity space and car parking. The layout has been adjusted in order to improve access into parking spaces. The amendments to plot one are considered to be an overall improvement to the scheme. However, the layout is considered to be marginal in terms of quality, allowing only small areas around the Romanby Road periphery for soft landscaping, to limit the visual impact of the car park.
- 5.9 Overall, Officers are satisfied that the layout and design works in this relatively urban environment and is considered to be acceptable in this case.

Amenity

- 5.10 The buildings on Springwell Lane take their height reference from the next door buildings and the design ensures the visual amenity of neighbours is protected. It is considered that adequate separation distances are proposed between existing and proposed dwellings for the development not to have an overall adverse impact on residential amenity.
- 5.11 The orientation of plot 1 has taken its design form from Springwell Terrace East, creating a blank gable facing onto Romanby Road reducing the impact the development will have upon neighbouring properties on Romanby Road and ensuring privacy and amenity issues are not significantly compromised.

Neighbour Observations

- 5.12 Thirteen objections have been received along with a local petition. A large proportion of the objections related to the building phase and potential disruption with traffic and noise issues. It is considered that the construction timeframe of a scheme of this nature is short term and conditions recommended by highways would ensure that the impact on highway safety is addressed. The hours of construction can also be controlled by condition to ensure building works are not to be carried out within unsociable hours. Concern regarding the scale, density and massing of the works have been highlighted, this has been taken into consideration. However, it is considered that given the type of built form within the locality, the scheme is considered to respect the local context in terms of use, movement, form and space. Materials have also been highlighted which can be controlled by condition to ensure the build is sympathetic to the neighbouring housing and wider area. The issue of insufficient parking has been raised but given the sites close proximity to the town

centre and local train station it is considered that the provision of parking spaces is welcomed however not essential as the site is located within a sustainable location.

Landscaping

- 5.13 The landscaping proposed is located to the garden areas on plots 2-6 with a grassed space and hedging on the rear boundary. Landscaping along with fencing is proposed to soften the parking spaces along the Romany Road elevation and again along the boundary shared with plot 1 and Springwell Terrace East. The proposed is considered acceptable and typical of schemes within this urban locality.

Highways

- 5.14 The Highway Authority raises no objection subject to conditions relating to the appropriate visibility splay, precautions to prevent mud on the highway, on-site parking and storage during development and implementation of the access, parking and turning areas. Highways did provide a note to the officer stating that 'concern must be expressed with regard to the layout of the car parking for the scheme. Although 2 parking spaces are provided for each dwelling it is considered that some of the parking spaces will be difficult to access and will require multiple manoeuvres within the parking forecourt'. This has been taken into consideration, however given the fact the manoeuvres can be achieved and highways have not objected to the scheme together with the site's sustainable location, it is considered that the parking provided is achievable and satisfactory.

Bat/Land contamination

- 5.15 The application is accompanied by a bat report the findings include no evidence of bat roosting activity in buildings 1, 2 and 3 during dusk. Buildings 4, 5 and 6 contain bat roosts with a maximum of 6 no. brown long eared bats. Based on the results of the survey it is considered unlikely that the buildings are used as a maternity roost but rather by male or non-breeding female bats as a transitional roost. Based on the results of the survey the bat roosts within the buildings are considered to be of low conservation importance and not significant to the favourable conservation status of bats in the local area. However a European Protected Species Mitigation (EPSM) licence will be required in order to permit works which would result in the damage, destruction, or blocking of access to, a breeding site or resting place used by a European Protected Species (including all bat species).
- 5.16 Overall this proposal is not considered to detrimentally affect protected species and implementation can be suitably managed through the licence so as not to have a detrimental impact on biodiversity.
- 5.17 The application is also accompanied by a Contaminated Land Risk Assessment and the findings include that significant risks are considered to be evident in relation to the possible presence of hydrocarbons, metals, solvents and other contaminants from on-site sources. A Phase 2 investigation would therefore be needed. Environmental Health at HDC have assessed the report and confirm the report recommendations in that a Phase 2 site investigation is undertaken consisting of boreholes, soil sampling and analysis for a range of contaminants including metals, hydrocarbons, VOCs, SVOCs and asbestos. Five conditions have been recommended in relation to a risk assessment, phase 3 remediation strategy and a potential verification report to ensure these works are carried out in order to deliver a safe development. It is considered that the implementation can be suitably managed to ensure a safe development of the site and to protect human health and the environment.

Planning Balance

- 5.18 In terms of design, the proposed development is considered to respond positively to the character and appearance of the locality and will fit within the streetscape in terms of heights, design and materials. The layout of the site is tight and the parking limited. However, given the location of the site within the town, walking distance to amenities, this is considered a sustainable location and the necessity for on-site parking is considered to be lower than other sites further from amenities. The amenity of neighbouring occupiers has been considered throughout the application process and amendments made in order to mitigate harmful impacts in terms of privacy and overshadowing. In conclusion, the proposed development is considered to be acceptable in this instance.

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 SM1002-01,02,03,04,05,06,07,08 received by Hambleton District Council on 16 May & 3rd October 2018 unless otherwise approved in writing by the Local Planning Authority.
3. Prior to construction or alteration of above ground external surfaces commencing, details and samples of the materials to be used in the construction of the external surfaces of the development shall be made available on the application site for inspection and the Local Planning Authority shall be advised that the materials are on site. The materials shall be approved in writing by the Local Planning Authority.
4. 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 enlargement shall be carried out to the dwelling and no building or other structure shall be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
5. Prior to construction of any building or regrading of land commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development and the relationship to adjacent development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.

These details are required prior to construction or regrading because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.

6. There shall be no access or egress by any vehicles between the highway and the application site until full details of any measures required to prevent surface water from non-highway areas discharging on to the existing or proposed highway together with a programme for their implementation have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.

7. Unless otherwise approved in writing by the Local Planning Authority, there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the access(es) to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements
 - (i) The crossing of the footway shall be constructed in accordance with the approved details and Standard Detail number A1.
 - (ii) The final surfacing of any private access shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
 - (iii) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway and shall not be able to swing over the highway.
8. No part of the development shall be brought into use until the existing access on to Springwell Lane and the westernmost access onto Romanby Road has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority in consultation with the Highway Authority.
9. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splay areas are provided giving clear visibility of 43 metres measured along both channel lines of Romanby Road from a point measured 2 metres down the centre line of the access road.
10. There shall be no access or egress by any vehicles between the highway and the application site until details of the precautions to be taken to prevent the deposit of mud, grit and dirt on public highways by vehicles travelling to and from the site have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway Authority. These precautions shall be made available before any excavation or depositing of material in connection with the construction commences on the site and be kept available and in full working order and used until such time as the Local Planning Authority in consultation with the Highway Authority agrees in writing to their withdrawal.
11. Unless otherwise approved in writing by the Local Planning Authority, there shall be no HCVs brought onto the site until a survey recording the condition of the existing highway has been carried out in a manner approved in writing by the Local Planning Authority in consultation with the Highway Authority.
12. All doors and windows on elevations of the building(s) adjacent to the existing and/or proposed highway shall be constructed and installed such that from the level of the adjacent highway for a height of 2.4 metres they do not open over the public highway and above 2.4 metres no part of an open door or window shall come within 0.5 metres of the carriageway. Any future replacement doors and windows shall also comply with this requirement.
13. Unless approved otherwise in writing by the Local Planning Authority there shall be no establishment of a site compound, site clearance, demolition, excavation or depositing of material in connection with the construction on the site until proposals have been submitted to and approved in writing by the Local Planning Authority for the provision of:
 - a. on-site parking capable of accommodating all staff and sub-

contractors vehicles clear of the public highway. b. on-site materials storage area capable of accommodating all materials required for the operation of the site. c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.

14. No development for any phase of the development shall take place until a Construction Method Statement for that phase has been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Local Highway Authority. The approved Statement shall be adhered to throughout the construction period for the phase. The statement shall provide for the following in respect of the phase: a. the parking of vehicles of site operatives and visitors, b. loading and unloading of plant and materials, c. storage of plant and materials used in constructing the development, d. erection and maintenance of security hoarding, e. Site operational hours considering the proximity of the nearby primary school.
15. Above ground construction of dwellings shall not be commenced until a detailed landscaping scheme indicating the type height, species and location of all new trees and shrubs has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless those elements of the approved scheme situated within the curtilage of that dwelling have been implemented. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
16. The construction of the development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted to and approved in writing by the Local Planning Authority.

These details are required prior to the construction because they could otherwise be compromised and in order to minimise the risk of abortive work being undertaken.
17. No external lighting shall be installed other than in complete accordance with a scheme that has previously been approved in writing by the Local Planning Authority.
18. No building works including excavation, breaking up of existing concrete or tarmac areas, demolition works, piling operations, external construction works in general shall be carried out except between 0700 hours and 2100 hours Monday to Friday, 0700 hours to 1700 hours Saturday and there shall be no such work on Sunday or on any public holidays.
19. The following land contamination investigation, remediation and verification conditions must be addressed sequentially. The outcome of the investigations will indicate the further site investigation, remediation and verification that may be required. In all instances if contamination is found or suspected at any time during development that was not previously identified all works shall cease and the Local Planning Authority shall be notified in writing immediately. No further development shall be undertaken until a detailed site investigation and risk assessment, having regard to current best practice, has been carried out. Where remediation is necessary a Remediation Strategy shall be submitted to and approved in writing by the Local Planning Authority before any further development occurs. (See Notes for Applicant CL2 and CL4)
20. No development shall commence until a 'Phase 2' intrusive site investigation and risk assessment, having regard to current best practice, has been submitted to and approved in writing by the Local Planning Authority. (see Note for Applicant CL2)

21. No development shall commence until a 'Phase 3' Remediation Strategy, having regard to current best practice, has been submitted to and approved in writing by the Local Planning Authority unless the outcome of the 'Phase 2 Investigation' shows that remediation is not required. (see Note for Applicant CL4)
22. No further development shall commence until the approved remediation scheme has been implemented.
23. In the circumstances that remediation has been required the development shall not be occupied until a Verification Report, having regard to current best practice, has been submitted to and approved in writing by the Local Planning Authority. (see Note for Applicant CL5)

The reasons 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 Policy(ies) CP1, CP2, CP4, CP16, CP17, DP1, DP8, 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. The Local Planning Authority would wish to retain control over the extension of this development in the interests of the appearance of the site and to control the size of the property in accordance with Local Development Framework Policy CP1, DP1, CP17 and DP32 and to ensure it remains of a size that is commensurate to the holding which it serve
5. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.
6. In accordance with policy CP2 and in the interests of highway safety
7. In accordance with policy CP2 and to ensure a satisfactory means of access to the site from the public highway in the interests of vehicle and pedestrian safety and convenience
8. In accordance with policy CP2 and in the interests of highway safety.
9. In accordance with policy CP2 and in the interests of road safety.
10. In accordance with policy CP2 and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
11. In accordance with policy CP2 and in the interests of highway safety and the general amenity of the area.
12. In accordance with policy CP2 and to protect pedestrians and other highway users.
13. In accordance with policy CP2 and to provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.

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15. In order to soften the visual appearance of the development and provide any appropriate screening.
16. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43
17. In order that the Local Planning Authority can consider the impact of the proposed lighting scheme and avoid environmental pollution in accordance with Local Development Framework Policies CP1 and DP1.
18. In order to protect the amenities of residential property in the locality.
19. To ensure safe development of the site and to protect human health and the environment.
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Informatives

1. CL2 - Detailed site investigations should have regard to current best practice and the advice and guidance contained in CLR11 (Environment Agency, 2004), British Standards including BS10175: 2011 "Investigation of potentially contaminated sites – Code of Practice" and BS5930: 1999 "Code of practice for site investigations", and the National Planning Policy Framework (NPPF) 2012.
2. CL4 - Remediation Strategies should have regard to current best practice and the advice and guidance contained in CLR11 (Environment Agency, 2004). Further advice is contained in the YALPAG Technical Guidance for Developers, Landowners and Consultants "Development on Land Affected by Contamination", version 8.2 February 2017. Remediation Strategies should include an options appraisal, objectives for remediation, proposed remediation works, proposed verification works, permits or consents required, contingency measures and unexpected contamination, and timescales.
3. CL5 - Verification reports should have regard to current best practice including CLR11 (Environment Agency, 2004) and YALPAG Technical Guidance for Developers, Landowners and Consultants documents "Development on Land Affected by Contamination", version 9.2 March 2018, "Verification Requirements for Cover Systems", version 3.4 (YALPAG 2017), and "Verification Requirements for Gas Protection Systems, version 1.1 (YALPAG, 2016). Verification reports should contain the details and objectives of all the remediation works undertaken on site. This should include a description of all remediation works carried out including photographs, certificates and transfer notes, plans showing areas remediated, volume and location of materials affected by contamination and treated or disposed

of either on or off-site, volume and source of clean materials re-used or imported onto site, justification for any deviation from the agreed remediation strategy, details of any unexpected contamination encountered, details of verification sampling including laboratory results and comparison with agreed remediation criteria, evidence of appropriate installation of gas protection systems, and conclusions demonstrating that all pollutant linkages have been broken.