

**Parish:** Easingwold  
**Ward:** Easingwold  
**1**

**Committee date:** 4 April 2019  
**Officer dealing:** Miss Ruth Hindmarch  
**Target date:** 8 April 2019

## 19/00085/FUL

### **Demolition of existing buildings and construction of seven dormer bungalows At former Hambleton District Council Depot, Stillington Road, Easingwold For CFK Developments (Easingwold) Ltd**

**This application is referred to Planning Committee as the Council has an interest in the application site in the form of a private right of way crossing it**

#### **1.0 Site, context and proposal**

- 1.1 The site lies on the northern side of Stillington Road, within the Development Limits of Easingwold and is an area of brownfield industrial land, it is “previously developed land” as defined in the Glossary to the NPPF. The site’s last use was as a maintenance depot operated by the Council to the south end of the site and a water authority depot to the north end. The redundant buildings are still on site. It is bounded to the west by retirement apartments and to the east by bungalows fronting Leasmires Avenue. To the north are existing residential properties on Galtres Drive and to the south by an existing apartment block, Matthew Hatton Court, with the highway of Stillington Road beyond. This piece of land is now surrounded by land in residential use.
- 1.2 This application seeks permission for the demolition of all the redundant industrial buildings on site and the construction of two pairs of semi-detached and three detached dormer bungalows. Each bungalow is provided with two parking spaces and amenity outdoor space.
- 1.3 Plots 1 to 5 are positioned to the north of the site and comprise two sets of semi-detached properties and a detached dwelling. Plots 6 and 7 are detached dwelling located to the southern end of the site and will face the access road. All the dwellings meet Nationally Described Space Standards. They are to be finished in a combination of dark brown brick, pale render, grey slate effect tiles, lead effect dormers and dark grey metal frame windows.

#### **2.0 Relevant planning and enforcement history**

- 2.1 11/02245/FUL - Construction of five dwellings, a retail food store (class A1) with associated parking, servicing and landscaping; Appeal against non-determination withdrawn 22 March 2012.
- 2.2 14/02506/DPN - Application for prior notification of proposed demolition of warehouses; Granted 30 January 2015.
- 2.3 15/02638/OUT - Outline application for construction of four dwellings; Granted 5 May 2016. No reserved matters submission has been made.
- 2.4 16/01785/OUT - Outline application with details of access and layout (all other matters reserved) for construction of three dwellinghouses and two bungalows; Refused 10 March 2017.
- 2.5 17/00007/CLE - Certificate of Lawfulness (Existing) for two light industrial units and external storage areas for maintenance repair and storage. Undetermined,

- 2.6 17/01427/FUL - Demolition of existing buildings and replace with two pairs of semi-detached dormer bungalows with car parking and landscaping; Granted 16 November 2017

The following applications relate to adjacent land:

To the west

- 2.7 14/01120/FUL - Demolition of building and construction of 37 retirement living housing units (category II type accommodation), communal facilities, landscaping and car parking; Granted 23 January 2015.
- 2.8 15/01500/FUL - Revised application for the demolition of existing building and construction of 37 retirement living housing units (category II type accommodation), communal facilities, landscaping and car parking (reduction in car parking spaces from 36 to 35); Granted 17 September 2015.

To the south

- 2.9 16/02541/FUL - Demolition of building and construction of 8 apartments with associated external works; Granted 13 February 2017. Construction works nearing completion.

**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 CP12 - Priorities for employment development  
Core Strategy Policy CP13 - Market towns regeneration  
Core Strategy Policy CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
Development Policies DP17 - Retention of employment sites  
Development Policies DP32 - General design  
National Planning Policy Framework  
Supplementary Planning Document - Size, type and tenure of new homes - adopted September 2015

**4.0 Consultations**

- 4.1 Easingwold Town Council – wish to see the application approved.
- 4.2 Highway Authority – No objection subject to conditions relating to access construction, parking, turning and site construction issues.
- 4.3 Yorkshire Water – No objection to the proposed sewer diversion or the proposed building stand off from the public sewer. Require conditions.
- 4.4 Environmental Health Team – No objection subject to conditions. The applicant's report identifies contamination that requires remediation to deliver a safe development and recommends a remediation strategy.
- 4.5 Internal Drainage Board - The application will increase the impermeable area to the site and the applicant will therefore need to ensure that any existing or proposed surface water system has the capacity to accommodate any increase in surface water discharge from the site.

- 4.6 Public comments – one letter of objection raising concern over plot 5 and the impact on neighbouring properties.

## **5.0 Analysis**

- 5.1 The main issues to be considered include (i) the principle of residential use; (ii) loss of employment land (iii) impact on character and appearance of the area; (iv) the impact on residential amenity; (v) highway matters; (vi) ecology and (vii) drainage

### **Principle**

- 5.2 The site is within the Development Limits of Easingwold, a Service Centre defined in the LDF Core Strategy, and therefore it is a sustainable location for housing. The LDF seeks to concentrate residential development in the Market Towns (policy CP6). The principle of residential use of the site is therefore supported and affirmed in the recent decision on application 17/01427/FUL that granted full permission for 4 dormer bungalows on the south part of the land and 15/02638/OUT that granted outline approval for 4 bungalows on the northern part of the land.

### **Loss of employment land**

- 5.3 The precise history of the land is uncertain; an application for a Certificate of Lawful Use and Development relating to the two light industrial units and external storage areas for maintenance repair and storage remains undetermined. It has not been possible to establish the type and extent of the use to the extent required for a Certificate of Lawful Use and Development. However, the buildings have an appearance that would support some form of maintenance depot use, but that use has ceased.
- 5.4 LDF Policy DP17 sets out that sites and premises will be safeguarded for employment purposes and permission for any use that may have an adverse effect on an area's primary purpose for employment will not be granted. Prior to the redevelopment of the land to the west and south that area had a primary purpose for employment and infrastructure use (fire station). However following the development of these sites and the long period of non-use of the depots the area no longer has a 'primary purpose for employment'. Indeed the area is dominated by residential uses. It is arguable therefore that the proposal does not need to meet the policy DP17 as the 'primary purpose' changed incrementally over several years ago. Additionally the removal of a maintenance depot use in a residential area could prevent amenity problems, such as noise or odours from occurring and provide an enhancement to the residential environment.

### **Character and appearance of the area**

- 5.5 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."
- 5.6 Policies CP17 and DP32 require the highest quality of creative, innovative and sustainable design for buildings and landscaping that take account of local character and settings, promote local identity and distinctiveness and are appropriate in terms of use, movement, form and space.
- 5.7 The proposed dwellings are all dormer bungalow properties. Given the sites location they will not form prominent features within the street scene. The dwellings will have a mix of materials and final details would be agreed through condition. Within the

wider area there are a mix of materials and also residential properties that vary greatly in design and scale. It is considered the design and scale of the dwellings is acceptable and the development will not have a detrimental impact on the street scene or character of the area.

### **Amenity**

- 5.8 The property sizes meet the minimal Nationally Described Space Standards which are incorporated into the Council's Supplementary Planning Document on Size, Type and Tenure of New Homes and it is considered the properties have sufficient amenity space. Accordingly the scheme complies with LDF policies CP1 and DP1. It is acknowledged the proposal is in close proximity to existing flats to the south and west. The building to the west (McCarthy & Stone) is of greater scale however it is considered the relationship will be acceptable given the siting of the proposed dwellings.
- 5.9 Due to separation distances between the proposed development and neighbouring dwellings there is unlikely to be any significant loss of amenity or privacy to warrant refusal of the application. Plot five would sit approximately 1.2m west from the boundary of 13 Leasmires Avenue, however 13 Leasmires Avenue has a rear garden area with a depth of approximately 10m. There are no windows proposed on the second floor of the side elevation facing onto Leasmires Avenue and given this, the orientation and the scale of the proposed dwelling, it is considered that there would not be an unacceptable loss of residential amenity as a result of the positioning of this dwelling. It is considered that the scheme is compliant with LDF Policy DP1.
- 5.10 To the north of the site the proposed dwellings will have sufficient separation distances. The design of the buildings include roof lights to the rear roof slope, avoiding the use of dormer windows which could impact on the amenity of any future residents of the site to the north. It is recommended that a condition is imposed on any consent removing permitted development rights for modification of the roof without prior consent from the local authority to prevent changes being made using 'permitted development rights' that could result in the loss of amenity to the neighbours.

### **Highway matters**

- 5.11 Sufficient parking spaces are provided for the dwellings and an electric vehicle charging point. The Highway Authority has no objection to the scheme subject to appropriate conditions.

### **Drainage**

- 5.12 The proposed development is in an area of low flood risk (Flood Zone 1). The applicant has stated that surface water would be disposed of to the main sewer however prior to this being approved the developer would first have to show that surface water disposal via infiltration or watercourse are not reasonably practical before considering disposal to public sewer. Reducing the hard surfaced area can increase permeability of the site and reduce the need for surface water drainage to a sewer. The details of surface water disposal can be conditioned and agreed, the applicant would also have to include design measures to ensure that flood risk is not increased elsewhere.
- 5.13 In terms of foul water the applicant has indicated they would use the mains sewer. Yorkshire Water has raised no objection to this and is under a duty to provide a satisfactory means of disposal of domestic foul sewage and has not indicated insufficient capacity of the foul public sewerage system.

- 5.14 Yorkshire Water did originally object to the proposal as it appeared that infrastructure located within the site would be built over, this objection was removed as the application is proposing to divert the sewer that is located within the site. Yorkshire Water have no objection to the diversions or the stand-off from the public sewer and the proposal is therefore acceptable in this respect.

### **Ecology**

- 5.15 The application is accompanied by an Ecological Impact Assessment which states the site supports habitats of low ecological value, further survey work is recommended in relation to bats as one building is considered to have low suitability for supporting bat roosts. Survey work will be required to establish if the building provides roosting space, however given the low suitability of the building and the absence of any evidence of bats it is considered appropriate to condition this work as recommended in the submitted survey. The report also makes recommendations for ecological enhancement. A condition can be added to ensure the development is carried out in accordance with the submitted report.

### **Planning Balance**

- 5.16 The redevelopment of the land follows previous approvals for residential use of the vacant land and makes use of land in a sustainable location, there are social and economic benefits from the provision of new housing and any environmental impacts relating to drainage and wildlife can be addressed by planning conditions to avoid harm and potentially enhance drainage by increasing permeable areas and providing habitat suitable for wildlife.

## **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 drawing received on 6 March and 26 March 2019 unless otherwise approved in writing by the Local Planning Authority.
  3. No alteration to or additional windows shall be added on the north roof slope of dwellings shown as units 1 – 5 on drawing number 1890 PL.111 Rev B received by Hambleton District Council on 6<sup>th</sup> March 2019.
  4. Highways conditions and drainage conditions to be added

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 Hambleton Development Plan Policies DP1, DP28 and CP17
3. To safeguard the amenity of neighbours in accordance with the Hambleton Local Development Framework Policies CP1 and DP1.

4. To safeguard highway safety and reduce the potential for conditions that will overload public sewers.