

**19/00175/FUL**

**Demolition of the existing house and outbuildings. Construction of a detached house and garage. Change of use of land to domestic for siting of field shelter/garden store. at Millhouse 56 North End Hutton Rudby North Yorkshire for Mr & Mrs A Slack.**

## **1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The site is located within the Hutton Rudby conservation area at the end of North End. It is occupied by a detached house and outbuildings set in a linear garden area and grounds, accessed to the east side through a five bar gate. The house itself is of some age, with some elements dating from 1750 denoted with a stone above the door, the west side of the house has more recent origins denoted by a date stone of 1874. The building is not listed, but was subject to a review by Historic England in the life of this application via separate application for listing. The heritage body concluded the building was not worthy of statutory protection.
- 1.2 The area of North End forms the western edge of the Hutton Rudby Conservation Area which was designated in the 1980s. The site is opposite a row of cottages to the south and the edge of the Leven valley to the east; the land is treed and slopes down to the river at this point and accessible by public footpath. Other dwellings immediately to the west are later 20th century and detached and set within private gardens and drive access.
- 1.3 The proposal is to demolish the house, known as Millhouse and outbuildings and build a new 4-5 bedroom family home and garaging, along with new access and parking from the road. The design has evolved through the life of the application and now is proposed to be finished in render, with brick single storey addition to west gable, including car port and glass covered patio area to the rear.

## **2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 2.1 There is no planning or enforcement history on the dwelling and application site which would reflect findings that the building has not been altered in some time.

## **3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policy of the Development Plan and any supplementary planning policy advice are as follows;

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 CP17 - Promoting high quality design  
Development Policies DP1 - Protecting amenity  
Development Policies DP3 - Site accessibility  
Development Policies DP4 - Access for all  
Development Policies DP8 - Development Limits  
Development Policies DP28 - Conservation

#### 4.0 CONSULTATIONS

- 4.1 The application has had two separate consultation exercises, the second following the submission of further information by way of a heritage statement and design revisions.
- 4.2 Hutton Rudby Parish Council - The Council would like to recommend approval but do have concerns about the height of the proposed new dwelling. They would like to request a site visit. Following the second consultation exercise - the Parish Council recommend approval.
- 4.3 NYCC Highways - no objection subject to conditions, to surface water, private access/verge crossings, parking and to prevent mud on the highway.
- 4.4 SABIC pipelines - no comments
- 4.5 Ramblers Association - no objections
- 4.6 The following is a summary of responses received during the consultation exercises.

Seven objections received that are summarised below:

- No objections provided there will be no adverse impact on the adjacent environment
- Trees should be protected on the valley sides.
- Proposal fails to respect the current building line
- The design and layout with car parking in front is objected to
- Use of inappropriate materials including uPVC, powder coated aluminium, oak car port, Juliet balcony, blockwork paving
- The new access point will exacerbate problems in the local area
- The design is out of keeping with the area
- It will affect the setting of the properties opposite historic cottages
- Demolition of the street-facing façade seems inappropriate and entirely unnecessary
- The heritage statement makes no reference of key features of the property, such as the 'spinners window' and Yorkshire sliding sash
- The proposed height of the dwelling is a concern.
- The proposed building would feel imposing compared to the current modest house on the site.
- Detrimental impact on the street scene of moving the house to the East and adding a car port.
- Quality of the design. There appears to be little cohesion to the current design, and we feel that this is a missed opportunity for a quality modern addition to the current house.
- The whole character of the bottom of North End will be irreversibly changed by such a huge development.
- The planned driveway will go through a very old orchard at the back of the existing property to a garage a significant distance from the new build.
- The property will overshadow/block light and view from several rooms
- Building of the property can only damage the root system of several trees which in turn could make them unstable causing the potential of trees falling
- The property and associated outbuildings do have a historical value to the village. North End is one of the oldest parts of the village and the property was built in the 1800s
- The outbuildings show the signs of when they were used as the butchers' slaughterhouse.

- There does not appear to have been any thought of replicating anything of the history of the original cottage but merely the opportunity to build an exceptionally large property in a significant area of the village.
- The existing property could be renovated into an amply sized family home. The area to the side could easily provide the access and turning space required without much alteration.
- This is a very old property and its loss is contrary to policy DP28.
- The proposed new development is totally out of keeping with the surrounding buildings and requirements of the conservation area.
- There is no need to move the footprint of the existing building and to do so would encroach on the existing buffer zone between the buildings and the priority habitat.
- Hambleton's Landscape Character Area 3 Leven Valley and Settlement Character Assessments both stress the importance of protecting the valley and its environment.

Two representations of support were received, summarised below.

- The house in its former state will have been an attractive property in its time, it has fallen into disrepair. The plans to demolish and build a new property seem sensible and appropriate given the opportunity to create a more energy efficient home with off street parking in an area that is now too busy with vehicles.
- Hutton Rudby has many different styles of property and I do not believe that this proposed development will look out of place.
- There is a lack of modern properties in Hutton Rudby.
- The plans for the new dwelling are very sympathetic to the local area.

## **5.0 ANALYSIS**

- 5.1 The main issues to consider are i) heritage impact of the loss of the buildings through demolition and the impact of the proposals on the character and appearance of the Conservation Area, ii) impact on residential amenity and iii) highway safety.
- 5.2 As the proposal is to replace an existing dwelling within the development limits for Hutton Rudby the principle of development in terms of the construction of a house is not in question. Rather, the matter falls to heritage matters, design and other material considerations.
- 5.3 The application site forms a dwelling at the end of North End, it a relatively traditional cottage style detached house with white-washed walls, single bay window and distinctive split level roof. It is set within a generous plot with land that extends in linear fashion behind and includes two outbuildings. The properties immediately adjacent to the west add little value to the Conservation Area. However, the row of small terraced cottages opposite the application site reflect the smaller scale form and historical pattern of the village and contribute positively to the character and significance of the Conservation Area. This group value helps anchor the conservation designation to the north of the roadside.

### Heritage Impact

- 5.4 Two main areas of heritage impact must be considered. The impact on the character and appearance of the Conservation Area both in terms of the loss of the existing building along with the impact of the design and form of the proposed development and secondly a question of the impact of the proposed development on what is considered to be a non- designated heritage asset (the dwelling subject of this application).

- 5.5 The site and buildings are within the Conservation Area which is a designated heritage asset. As such the impact on the character and appearance of the Conservation Area must be assessed in the determination of the application.
- 5.6 Under the National Planning Policy Framework, paragraph 189 states Local Planning Authorities determining applications should require an applicant to describe the significance of the heritage asset affected, including the contribution made to their setting; in this case the Hutton Rudby Conservation Area.
- 5.7 The applicant has submitted a heritage statement that provides information on the history of the house, outbuildings and its key features. This is supplemented by a separate report on the structural integrity of the house prepared by Handley Partnership, consulting structural engineers; and two other reports specifically on the costs of works and an asbestos survey.
- 5.8 An assessment of Character of the Conservation Area is required to fully determine the impact of the proposal. The submitted heritage statement describes the character being varied in nature, with the vale of the Leven, and its steep banks and tree'd slopes, contrasting with the wide village green in the centre and the denser linear developments like North End. North End does not have a homogenous character, having a green, open at one end and getting progressively narrower and denser as it proceeds northerly, terminating outside of the application site.
- 5.9 The character of the Conservation Area around the immediate area of the application site is residential, with dense terraced housing on the south side contrasting with more spacious and detached dwellings on the north side of the road. It includes modern housing developments in the area lying to the west of the application site, demonstrating the age of the properties does not detract from the overall character. This provides a clear recognition that the character of the area flows not from any individual building or group of buildings, but from the overall layout of properties and their relationship to the adjacent river valley.
- 5.10 The application site is publicly visible from North End as it reaches its full length. Due to the bend in the road, the application site is only appreciated from a point approximately 75m south of its location, becoming progressively more visible as one passes around the bend. In this area the experience of the conservation area is negatively affected by the present of parked cars as few houses have on street parking.
- 5.11 The application site can also be seen on approach up the public footpath when coming from the river valley. The site is seen in front and adjacent the house at the top of the footpath terminus. The site is only seen for a short length of the path, given the gradient of the slope and other property. Photographs have been submitted to help demonstrate the impact including computer images superimposing the proposed elevations from this view point and that from the approach up North End.
- 5.12 In its conclusion the heritage statement refers to the Conservation Area attributing no particular significance to an individual property and therefore the loss of one property, and its replacement with the designs proposed, will not harm the designated heritage asset.
- 5.13 Paragraph 196 of the National Planning Policy Statement (NPPF) states "Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use."

- 5.14 NPPF paragraph 193 is clear that any harm to the heritage asset should be given great weight and importance in the assessment of an application for planning permission.
- 5.15 It is considered the building known as Millhouse provides an anchor point for this end of the conservation area and contributes significantly to the significance of the conservation area, its setting and inclusion alongside the group of terraced cottages immediately opposite this site. If this building is lost the character of the conservation area will be harmed and this group value lost. It is found that the loss of the building would result in less than substantial harm to the designated heritage asset.
- 5.16 The applicants' have submitted a justification for its loss by way of a structural engineers report, and this details a range of concerns with the current dwelling. It specifically refers a range of problems not unexpected in a property of this type, age and state of repair. It does not state explicitly that the building is beyond repair or structurally unsound, only that it fails modern standards for instance fire regulation and environmental standards, and that it does not meet the current applicants' requirements for a family home. It is not considered that this evidence serves to make the case that the building is so unsound that it is in the public benefit to demolish it; it is likely that any building of this particular age could be anticipated to have similar problems such as these identified here and any costs associated with renovating a building of this age should also be anticipated to be considerable. Therefore it can be concluded there is no public benefits that would result from its demolition.
- 5.17 Paragraph 196 of the NPPF states where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use. In this case the proposal is for a private dwelling which results in only small public benefits owing to the improvements in the efficiency of the proposed replacement dwelling.
- 5.18 As discussed in the design section below, the design of the new dwelling is considered to have a neutral impact on the significance of the Conservation Area.

#### Non-Designated Heritage Assets

- 5.19 Paragraph 197 of the NPPF states *"In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset."*
- 5.20 Hambleton District Council has adopted criteria to assess potential non-designated heritage assets, those buildings not listed but that should be locally recognised and afforded protection. On assessment of the dwelling to be demolished, given the age, representativeness, aesthetic appeal, group value and value in terms of the character of the village conservation area officers find that the dwelling should be considered as a non-designated heritage asset. This status also requires careful assessment against its total loss through demolition. In the case of this application the building and outbuildings would be demolished and therefore this represents a complete loss of the non-designated asset which must be considered in the assessment of the development and a balanced judgement will be required to the scale of any harm or loss and the significance of the heritage asset.
- 5.21 The agent has responded to the officer assessment as a non-designated heritage asset and suggests that the analysis is flawed by viewing the criteria in isolation. However officers would respond that the criteria are sound and must be taken

together, a feature must meet at least two or more of the criteria. It is not the case that the subject just has to be old; it must meet at one other of the criteria on the list.

#### Design of New Building

- 5.22 The latest set of designs submitted have simplified the Georgian style of the proposed house, the choice of materials and propose a white render finish to the exterior of the main house to better reflect the finish on the current building. The house remains larger in form and massing from the more cottage type dwelling in position now, but is simpler in architectural detailing. Overall, fenestration proportions are symmetrical on the elevations seen from the public sphere. The rear, single storey projection with lantern light and covered glazed ironwork structure has been retained but external chimney has been removed. It has been clarified that the windows will be painted timber not and uPVC as noted on the original plans.
- 5.23 Vehicular access remains through a car port to the side which is not considered to be a period style feature and has no frame of reference in this part of the conservation area. No change to the rear garaging has been proposed, shown as a timber clad design on the original plans.
- 5.24 Two computer generated images have been supplied to show how the proposed dwelling would look on approach northwards up North End and when viewed from the public footpath rising up from the Leven Valley.
- 5.25 The changes made to simplify the design and better reflect the context are beneficial and limit the impact on setting of the conservation area. The addition of the car port unfortunately continues to detract from this on the frontage. It is noted that the character in this area of North End is mixed but historic scale and forms are visible if perhaps the finish and materials have been unsympathetically changed to more modern features over time. It is noted that car parking in the vicinity of the site can be problematic and detract from the setting of the conservation area. It is in some respects beneficial to accommodate the parking of vehicles within the site outside the public view points. On balance the series of latest design amendments have a neutral impact on the conservation area and local character, policies DP28 and DP32.

#### Residential Amenity

- 5.26 Despite the dwelling increasing in size and scale, the positioning of the dwelling and associated buildings have an acceptable impact on local residential amenity. The building is set forward in the building line to the dwelling to the west and separated from the cottages opposite by front gardens, verges and road between the row of cottages opposite. It is considered that the proposed development can comply with policy DP1 which protects amenity.

#### Highway Safety

- 5.27 The layout creates new off road parking spaces where there are none currently, this helps resolve local parking problems and may improve safety. The County Highway Authority have not objected on highway grounds and recommended conditions to resolve their concerns. It is therefore considered there are no highway and traffic issues created by this development.

#### Planning Balance

- 5.28 Whilst very welcome changes have been made to the design and materials proposed these do not have sufficient weight in the balance to overcome the harm to the significance of the conservation area, a designated heritage asset; and the local

status of the existing building as a non-designated heritage asset, caused by the demolition of the dwelling and outbuildings known as Millhouse.

## **6.0 RECOMMENDATION**

6.1 That subject to any outstanding consultations the application be **REFUSED** for the following reason(s)

The reasons are:-

1. The application would result in less than substantial harm to the significance of the conservation area, which is not considered to be sufficiently off-set by Public Benefit to allow a recommendation of approval. The proposed development results in the loss of a non-designated heritage asset which is not considered to have been reasonably justified through the application. The propose development is considered to be contrary to policy DP28 in the Local Development Framework and the requirements of the National Planning Policy Framework.