

Parish: Thirsk
Ward: Thirsk
12

Committee Date: 10 November 2016
Officer dealing: Caroline Strudwick
Target Date: 18 November 2016

16/01640/FUL

Construction of four dwellings with garages, alterations to existing boundary wall and formation of vehicular access

**At land off Bellingham Close, Thirsk
For Newspan Construction Ltd.**

1.0 SITE DESCRIPTION AND PROPOSAL

- 1.1 The site is a predominately flat piece of land, measuring approximately 0.23ha with a frontage on Bellingham Close facing The Old Workhouse (a grade II listed building). The site is surrounded by other residential properties varying in height and size. Properties to the east and south are single storey. The access is gained through the brick wall that forms the boundary to the Listed Workhouse. The wall is considered to be a boundary to the Listed Workhouse and is protected as a curtilage structure.
- 1.2 The site of the proposal lies within the Development Limits of Thirsk and is accessed from A170 Sutton Road, Thirsk to Sutton under Whitestonecliffe road.
- 1.3 The proposal is for the development of four three-bedroom dormer bungalows. There have been several revisions of the design of the dwellings to ensure a sympathetic design, which relates to the listed building and development at Bellingham Close.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 10/02721/LBC - Application for listed building consent for alterations to wall to create a vehicular access; Withdrawn 9 September 2011 following a resolution to grant consent.
- 2.2 10/02722/FUL Construction of six dwellings and a garage block; Withdrawn 9 September 2011 following a resolution to grant permission subject to a S106 Agreement.
- 2.3 16/01641/LBC Application for listed building consent for alterations to boundary wall – see separate report on this agenda.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development
Development Policies DP1 - Protecting amenity
Core Strategy Policy CP16 - Protecting and enhancing natural and man-made assets
Core Strategy Policy CP2 - Access
Development Policies DP32 - General design
Development Policies DP37 - Open space, sport and recreation
Core Strategy Policy CP17 - Promoting high quality design
Core Strategy Policy CP20 - Design and the reduction of crime
Development Policies DP4 - Access for all
National Planning Policy Framework

4.0 CONSULTATIONS

- 4.1 Thirsk Town Council - Wish to see the application approved.
- 4.2 Highway Authority - Recommends conditions.
- 4.3 Historic England - No comments to make.
- 4.4 Yorkshire Wildlife Trust - No comments to make.
- 4.5 Natural England - No comments to make.
- 4.6 Public comment - 13 objections have been made; the issues raised in these objections are:
- The increase in noise and pollutions from traffic as a result of the four houses;
 - The increase in safety risks to children playing on Bellingham Close and pedestrians from increased traffic;
 - Unacceptable impact on residential amenity and restricted views;
 - Disruption to residents during the construction of the dwellings;
 - Impact on loss of security for residents of Bellingham Close;
 - Loss of green space;
 - The application is for high density housing;
 - There is not enough parking in Bellingham Close, this will worsen the situation;
 - The scheme is badly designed;
 - The proposal will change the character of Bellingham Close and the conservation area;
 - The access should come off Sutton Road;
 - Potential disruption to phone and internet cables under the site; and
 - Questions as to who will be responsible for the upkeep of the listed wall and communal green space.

5.0 OBSERVATIONS

- 5.1 The issues to be considered when determining this application are (i) the principle of development; (ii) the design proposed and the impact, if any, on (iii) heritage, including the adjacent listed building; (iv) residential amenity; and (v) highway safety.

Principle of development

- 5.2 The site is within the Development Limits of Thirsk and 400m from the Market Square. It is considered that this is a sustainable location which can support four additional dwellings. The development of additional homes in this location is supported in principle by the policies of the LDF and the NPPF.

Design

- 5.3 The proposed bungalows are dormer style, with one bedroom on the ground floor and a further two on the first floor. The development of bungalows is welcomed, as the Council is keen to ensure that there is a range of housing options for older people, including bungalows. Additionally, nationally and as an authority there is a forecasted need for more two and three bedroom homes, and more homes to meet the needs of older people. This proposal meets both these needs and is in line with the LDF policy and the Size, Type and Tenure of New Homes Supplementary Planning Document.
- 5.4 There has been concern that this proposal results in a high density development. Plots 2 and 3 would have integral garages, the total floor area of these dwellings,

without the garage would be 174sqm. Plots 1 and 4 would each have a total of 191sqm of living space. Both designs are well above the Nationally Described Space Standards which sets a minimum size of 102sqm of living space for a three-bedroomed (6 bed space) double storey property.

- 5.5 The development of bungalows would be in keeping with the bungalows to the south of the site and on the southern end of Hambleton Close, to rear (east) of the site. The low ridge line would maintain the open views to residents of Bellingham Close and the former workhouse (grade II listed).
- 5.6 The design and the layout of the scheme has changed during the application process, to arrive at what is considered to be a well-designed, high quality design which links well to and maintains the character of the former workhouse and the relatively recent development to the rear, Bellingham Close.
- 5.7 This has been achieved through the addition of the arched headed windows to the ground floor and the paned windows to the first floor, to reflect the windows in the former workhouse. Amendment has been made to bring together the dwellings in a square formation and a wall has been added to link between each of the buildings to reflect the character and appearance of the wall on the boundary of the site with Bellingham Close and to reflect the block development of Bellingham Close. Recessed bricked gateways have been added to the walls to mirror this detail in Bellingham Close.

Impact on heritage, including the listed building

- 5.8 Notwithstanding the comments made by neighbours, the site does not lie within the Thirsk Conservation Area. However, the former workhouse fronting Sutton Road on the opposite side of Bellingham Close, now converted to dwellings, is listed grade II. 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.
- 5.9 The proposed development will have impacts upon the fabric and setting of the Listed Building. The direct impact on the fabric of the building arises from the need to provide an access to the new homes and that the proposal is to create this access by removal of part and realignment of part of the boundary wall to the Workhouse, this is a listed structure. The further impact is upon the setting of the building by the change to the boundary wall and by the construction of new dwellings in close proximity. The impact on the fabric of the building is set out in the accompanying report. The impact on the setting is considered to be minor because there are other low buildings in the landscape around the Workhouse, the field upon which the dwellings are proposed is not noted to have a function relating to the former operations of the Workhouse and visually it is not evident that the open space is important to the setting of the Workhouse. The low height of the proposed dwellings maintains the Workhouse as the dominate building in this location and does not harm its setting. The scheme therefore achieves the objectives of local and national policy and the requirements of the Act.

Residential amenity

- 5.10 There would be a separation distance of approximately 48 metres between the front elevation of plot 4 and the side elevation of the former workhouse. The nearest plot to Bellingham Close would be plot 1, this dwelling is shown to have one ground floor window on the elevation which faces Bellingham Close, this is a utility room window.

There is a distance of 5.4m between this window and the site boundary which is formed by a brick wall of about 2 metres in height. Accordingly it is considered that the positioning of these low level dormer bungalows will not result in unacceptable impact on the amenity of the residents of Bellingham Close as they are separated by the retained and reconstructed boundary wall.

- 5.11 A comment has been made regarding the loss of security for the people of Bellingham Close. Access to the site is proposed to go through the wall from Bellingham Close; this would be the only point of access. It is considered that this scheme ensures that there are no potential escape routes, other than the single point onto Bellingham Close and the dwellings would face onto the communal areas, ensuring overlooking and passive surveillance of these areas.
- 5.12 Comments have been received regarding the loss of green space. This site is not a public site, it is not designated for recreational use in the Local Development Framework and it is not used for recreation by the residents of Bellingham Close. Whilst it is appreciated that the site currently provides a pleasant view for residents of Bellingham Close it is considered that this is a well-designed and attractive development, making best use of this space in a sustainable location.

Highway safety

- 5.13 The greatest number of objections are regarding the increase of traffic from four additional dwellings and the impact of this on pollution levels, congestion in exiting onto Sutton Road and the impact on safety for children playing in Bellingham Close and pedestrians walking past the Bellingham Close access.
- 5.14 The increase in movements associated with four additional dwelling over the 28 dwellings currently accessed from Bellingham Close is not so substantial to make the scheme unacceptable as the site is accessed by a road that allows two way traffic, has a footway on one side and the point of access from the road is on a section that is straight and before reaching the main square and parking areas associated with the dwellings on Bellingham Close. The comments of the Highway Authority and recommended conditions are noted. There would be sufficient on site car parking and the access arrangements as proposed would be satisfactory. As such the proposal is in accordance with policy.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application 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 PP02B and PP03B, PP04A received by Hambleton District Council on 26th October 2016 unless otherwise approved in writing by the Local Planning Authority.
 3. Prior to development 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 and the materials shall be approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

4. 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. The works shall be implemented in accordance with the approved details and programme.
5. 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 to the site have been set out and constructed in accordance with the published Specification of the Highway Authority and the following requirements: the crossing of the highway margin on Bellingham Close shall be constructed in accordance with the approved details and Standard Detail number E7. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
6. Unless otherwise approved in writing by the Local Planning Authority in consultation with the Highway Authority there shall be no excavation or other groundworks, except for investigative works, or the depositing of material on the site until the existing boundary wall on Bellingham Close has been realigned and rebuilt in accordance with the submitted drawing (Reference "Proposed PP02"). The area between the realigned wall and the carriageway shall be surfaced in tar macadam in accordance with Standard Detail number E6.
7. 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 "Proposed PP02"). Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.
8. 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. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning 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 agrees in writing to their withdrawal.
9. 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; and (b) on-site materials storage area capable of accommodating all materials required for the operation of the site. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
10. Prior to development commencing, as a minimum, a Land Contamination Phase 1 Preliminary Risk Assessment must be submitted and approved in writing by the Local Planning Authority in order to obtain a good understanding of the history of the site, its setting and the potential to be affected by unacceptable levels of pollution. The Phase 1 assessment should comprise a desk study, site walkover and conceptual site model and should also provide recommendations for any further works.

Thereafter the measures identified in the recommendations shall be undertaken in accordance with the approved scheme.

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 Policies CP1, CP16, CP17, DP1, DP28 and 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. In the interests of highway safety
5. In the interests of highway safety
6. In the interests of the safety and convenience of highway users.
7. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
8. To ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
9. To provide for appropriate on-site vehicle parking and storage facilities, in the interests of highway safety and the general amenity of the area.
10. In order to understand any potential contamination on site.

Informatives

1. You are advised that a separate licence will be required from the Highway Authority in order to allow any works in the adopted highway to be carried out. The 'Specification for Housing and Industrial Estate Roads and Private Street Works' published by North Yorkshire County Council, the Highway Authority, is available at the County Council's offices. The local office of the Highway Authority will also be pleased to provide the detailed constructional specification referred to in this informative.
2. The applicant is advised that prior to the initial occupation of any individual dwelling hereby permitted, the following bins and recycling box conforming to European Standard EN840 should be provided by the developer for the exclusive use of the occupants of that dwelling:

1 x 240 litre black wheeled bin for general waste
1 x 240 litre green wheeled bin for garden waste
1 x 240 litre black wheeled bin with a blue lid for mixed household recycling; and
1 x 55 litre blue recycling box for glass bottles and jars.

In order to guarantee EN840 compliance the Council will only collect from bins and boxes sourced from its own Neighbourhood Services. If the developer does not pay for bins and boxes, each new resident will be required to pay for them. In the event

that no payment is made, the Council will not collect waste and recycling from the dwelling concerned.

Further details of the Council's Waste and Recycling Collection Policy and the charges for bins and boxes is available at www.hambleton.gov.uk or by telephoning 01609 779977.