

Parish: Easingwold
Ward: Easingwold
5

Committee Date: 2 March 2017
Officer dealing: Caroline Strudwick
Target Date: 10 March 2017

16/01785/OUT

**Outline application with details of access and layout (all other matters reserved) for construction of 3 dwellinghouses and 2 bungalows
At Hambleton District Council Depot, Stillington Road, Easingwold
For Mr Philip Atkinson - NCG Estates**

1.0 APPLICATION SITE 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 1800 sq. m of brownfield industrial land. The site's last use was as a maintenance depot operated by the Council and the redundant buildings are still on site. It is bounded to the west and east by housing and to the north and south by land that has planning permission for housing.
- 1.2 This application seeks outline permission for the access to the site and the positioning of two bungalows and three houses on the piece of land immediately to the north of the former fire station and to the rear of houses on Leasmires Avenue. The size and number of bedrooms for the dwellings have been submitted; however this is indicative and not for formal decision in this application. Access is to be off Stillington Road, running between the former fire station and retirement development to the west.
- 1.3 The layout of the site shows the two bungalows at the northern end and an access passing between them to serve the land beyond (which has outline permission for four dwellings). The layout also shows provision for a second right of way to this adjacent site along the western boundary of the application site, running through the gardens of one of the bungalows and one of the houses. The site landscaping and design of the dwellings is not the subject of this outline application and will be determined at reserved matters stage.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/02245/FUL - Construction of 5 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a retail food store (class A1) with associated parking, servicing and landscaping; Appeal against non-determination withdrawn 22 March 2012.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 The following applications relate to adjacent land:

To the west
- 2.4 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.
- 2.5 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 north

- 2.6 15/02638/OUT - Outline application for construction of four dwellings; Granted 5 May 2016.

To the south

- 2.7 16/02541/FUL - Demolition of building and construction of 8 apartments with associated external works; Granted 13 February 2017.

3.0 RELEVANT PLANNING POLICIES

- 3.1 The relevant policies are:

Development Policies DP17 - Retention of employment sites
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 CONSULTATION

- 4.1 Easingwold Town Council - Wishes to see the application approved.
- 4.2 Highway Authority – No objection, conditions recommended.
- 4.3 Environmental health Officer (Contaminated Land) – No objection, recommends a preliminary risk assessment as a condition.
- 4.4 Yorkshire water – No objection, conditions recommended.
- 4.5 Internal Drainage Board – No objection, recommends an informative regarding building regulations.
- 4.6 Ministry of Defence - No safeguarding objections.
- 4.7 Public comments - one observation has been received from North Yorkshire Fire and Rescue Services as owner of the adjacent land. It states that plots three and four on the indicative layout provide for three and five metre long rear gardens which back onto the Service's site. The Service expects to see standard ten metre rear gardens which, if achieved, would reduce the possibility of nuisance from the Fire Station site.

(Note: the Fire Station is closed and full planning permission has now been granted for residential redevelopment – see application 16/02541/FUL, paragraph 2.7 above.)

5.0 OBSERVATIONS

- 5.1 The main issues to be considered include (i) the principle of residential use; (ii) the layout of the site; (iii) the impact on residential amenity; and (iv) highway matters.

Principle of residential use

- 5.2 The site is within the Development Limits of Easingwold and therefore it is a sustainable location for housing. It would appear that, based on the applicant's submission the site falls under Sui Generis use.
- 5.3 The site to the north of this has the benefit of planning permission for 4 bungalows (15/02638/OUT) and the site to the south for 8 apartments (16/02541/FUL). It was deemed as part of this application that there would be no loss of amenity to future residents of the developments to the north and south as a result of being adjacent to this site, formally used as a depot. The principle of residential development in this area has been established through the permission to the north (15/02638/OUT), to the west (15/01500/FUL) and to the south (16/02541/FUL).

Layout of the site

- 5.4 The site is constrained by the two private rights of way which pass through it, giving access to the site to the north. These rights of way must be kept clear of development and so the layout has been designed around them. As a consequence of this, and the indicative housing mix and dwelling sizes, it is considered that the site does not have the capacity to accommodate the proposed level of development without it being in an unacceptably concentrated form that would be out of keeping with the prevailing character of the area. The overall impression of the proximity of the dwellings so close to one another, and the site boundaries is cramped and results in an over development of this site.

Amenity

- 5.5 There has been extensive discussion with the agent regarding the floor areas of the dwellings. The houses are proposed as three-bedroom (five-person) dwellings, with floor spaces of 78.9 square metres each. These sizes do not meet the minimal Nationally Described Space Standards of 93 square metres which are incorporated into the Council's Supplementary Planning Document on Size, Type and Tenure of New Homes. Advice has been provided to the agent regarding acceptable sizes to meet the Nationally Described Space Standards; however neither the dwelling sizes nor the numbers of bedrooms have been amended in response.
- 5.6 The agent has been advised as to what measures need to be taken to result in a proposal which accords with national and local policy in this respect. However, the dwellings and amenity space indicated in the application are too small, and so this proposal would not promote, encourage, protect or enhance the health, economic and social well-being, amenity and safety of the population. The scheme would not comply with policies CP1 and DP1 and therefore would not result in a high quality development. This assessment has taken account of the fact that the details are not formally for determination at this stage; however, it is understood that the applicant is intent on pursuing a scheme of the nature described and is not prepared to amend it to accord with policy.
- 5.7 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 90cm from the boundary of 9 Leasmires Avenue. Particular would need to be taken when considering the design of the south eastern elevation to ensure there is no loss of amenity for the residents of the existing dwelling or the proposed dwelling. Plot four would be at a distance of 3.5 metres from 5 Leasmires Avenue and it is not expected that there would be an unacceptable loss of residential amenity as a result of the positioning of

this dwelling. It is not considered that at the outline stage that there would be any unacceptable loss of amenity for existing residents as a result of the development; however finished heights and the positioning of windows would need to be determined at reserved matters to ensure accordance with LDF Policy DP1.

Highway matters

- 5.8 Sufficient parking spaces could be provided for the five dwellings, again as shown in the illustrative details, and the Highway Authority has no objections to the scheme subject to appropriate conditions.
- 5.9 At the widest point there is 21.5 metres of hardstanding from the parking for plot one across the further point of the parking for plot four. There is then a 19 metre length of parking north to south for visitors to plot three. At the reserved matters stage careful consideration would need to be given to what materials are used, to ensure effective surface water run-off and how the hard surface could be interrupted by soft landscaping to ensure an attractive, well landscaped environment.

6.0 RECOMMENDATION

- 6.1 That subject to any outstanding consultations the application is **REFUSED** for the following reasons:
1. The scheme fails to achieve a high quality of design due to the fact that the development is not in keeping with the existing form of development in the immediate area and does not reflect the local character. The proposed number and size of dwellings would result in an over development of the site, leading to an unacceptable impact on existing and future residents of the area. The proposal would cause significant harm contrary to the Hambleton Local Development Framework Policies CP1, CP17 and DP32.