

Parish: Thirsk
Ward: Thirsk
13

Committee date: 20 July 2017
Officer dealing: Laura Chambers
Target date: 27 July 2017

17/00493/FUL

Demolition of dwelling and construction of 6 new dwellings, garages and ancillary works

**At Wisteria Cottage, 21 Station Road, Thirsk
For Moorside Developments**

This application is referred to Planning Committee at the request of Councillor Gareth Dadd and Councillor Janet Watson.

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The application site forms part of a large plot, previously host to a single dwelling, accessed off Station Road but located at the end of an 80m long private drive and widening beyond the rear of the principal building line of Station Road.
- 1.2 The site is surrounded by residential developments of differing styles, with Park Home mobile homes to the south on Millbank Court and more recently two and two and a half storey dwellings on Turkan Close to the east. Properties on Station Road itself vary, including modest bungalows and larger two-storey dwellings.
- 1.3 The existing bungalow and detached garage on the site are to be demolished and permission is sought for 6 dwellings, in addition to the 4 dwellings previously approved on western part of the garden of Wisteria Cottage.
- 1.4 The scheme includes a pair of semi-detached, four bedroom, two-storey dwellings broadly in the location of the existing property on the site, north of this is proposed a terrace of 4 two-storey dwellings, each of two bedrooms. Garages and parking are proposed in the area between the houses, along with some in-curtilage spaces and 2 parking spaces opposite plots 9 and 10. Each property is shown to be allocated 2 car parking spaces.
- 1.5 It is proposed that the vehicular access from Station Road would serve the development, and the other houses previously approved on the site; however the private drive itself has been realigned so that it more closely follows the eastern boundary of the site.
- 1.6 Improvements have been secured as follows: substitution of larger dwellings with smaller dwellings to address the identified need for two bedroom properties in the district, improving the overall housing mix of the proposed development. This has resulted in the introduction of an additional dwelling. Neighbours have been notified of the changes.
- 1.7 The site lies within the Development Limits of Thirsk and Sowerby.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 15/02006/OUT – Outline application for four dwellings including details of access, approved.

16/01420/REM – Reserved Matters application associated with 15/02006/OUT for appearance, landscaping, layout and scale of two dwellinghouses, approved. Plot 1 – 4 bed, Plot 2 - 4 bed.

16/02185/REM – Reserved Matters application for the approval of details of two houses associated with 15/02006/OUT for appearance, landscaping, layout and scale (in addition to those approved under 16/01420/REM), approved. Plot 3 – 4 bed, Plot 4 – 3 + 1 bed annexe.

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 CP8 – Type, size and tenure of housing
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 DP10 – Form and character of settlements
Development Policies DP12 – Delivering housing on “brownfield land”
Development Policies DP13 – Achieving and maintaining the right mix of housing
Development Policies DP32 – General design
Development Policies DP33 – Landscaping
National Planning Policy Framework (NPPF)
National Planning Practice Guidance (NPPG)

4.0 CONSULTATIONS

- 4.1 Thirsk Town Council – Recommended for approval, with the following observations:
(i) We have some concern over the potential number of vehicles around the site;
(ii) We would suggest that boundary fencing should be erected and maintained in order to protect the privacy and quiet enjoyment of neighbouring properties.
- 4.2 Highway Authority – No objection to original layout subject to conditions, comment on revised plans awaited.
- 4.3 Environmental Health – No objections.
- 4.4 Yorkshire Water – Following clarification surface water is to be dealt with via soakaway not to the mains sewer, no further comments to make.
- 4.5 Contaminated Land – No objection subject to condition.
- 4.6 Public comments – following consultation five objections have been received, these are summarised below.
- Piecemeal approach to applications to develop the site may be misleading,
 - Out of keeping with character of properties in the surrounding area,
 - Overlooking/loss of privacy,
 - Loss of light,

- Noise from increased vehicle movements on the site,
- Proposed access is not adequate,
- Potential for flooding if drainage is not adequate,
- Overdevelopment of the site due to lack of open space,
- Potential subsidence due to difference in levels,
- Loss of view,
- Inclusion of roof lights could allow roof space to be used as living accommodation without the need for planning permission,
- Loss of biodiversity.

5.0 OBSERVATIONS

5.1 The main issues to consider are: (i) Principle of development; (ii) Housing mix; (iii) Access and parking; (iv) Design; (v) Scale of development and (vi) Residential amenity.

Principle of Development

5.2 The proposals are for infill residential development within a sustainable market town location and as such are in line with policy DP8, subject to an assessment of other relevant policy tests including design and impact on residential amenity.

5.3 The site is within flood zone 1 and not therefore at risk of flooding and Yorkshire Water has confirmed adequate means of foul and surface water drainage are achievable and as such there is no reason to assume the proposals would be at risk of flooding.

5.4 Concern has been raised by objectors that an assessment of ecology has not been made, however the Council is not in receipt of evidence to suggest the presence of protected species is likely and as such a formal assessment is not considered a reasonable requirement in order to proceed with the application.

Housing Mix

5.5 Policy DP13 requires housing proposals to provide for a mix of dwellings, which meet the needs of all sections of the local community. The original proposed scheme included only large four bedroom dwellings, this has been addressed by replacing the previously proposed three-storey town houses with smaller, two-storey, two bedroom properties; however in order to maintain the viability of the scheme an additional dwelling has been introduced.

5.6 Four of the six dwellings now proposed would address the identified need for smaller dwellings in the district and would result in a more appropriate housing mix on the site. The provision of 6 smaller dwelling provides 67% of the 6 dwellings

Approved		Proposed	
Plot	Bedrooms	Plot	Bedrooms

1 - approved	4	5 - proposed	4
2 - approved	4	6 - proposed	4
3 - approved	4	7 - proposed	2
4 - approved	3+1 bedroom annexe	8 - proposed	2
		9 - proposed	2
		10 - proposed	2
Overall mix of 10 plots		4 x 2 bed = 40%	
		6 x 4 bed = 60%	
This scheme		4 x 2 bed = 67%	
		2 x 4 bed = 33%	

Access & Parking

- 5.7 It is proposed to utilise the existing access into the site from Station Road, realigning the private drive within the site along the eastern boundary. North Yorkshire County Council Highways Department raised no objections to this means of access, nor the originally proposed parking layout. It is considered that the parking proposed is acceptable as each property is allocated 2 parking spaces.

Design

- 5.8 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."
- 5.9 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.
- 5.10 The National Planning Policy Framework Planning supports this approach and, at paragraph 64, 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 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."
- 5.11 The Council's Statement of Community Involvement, adopted in 2013, requires applications for major development or other proposals likely to have any significant impact to explain how public comments have influenced the chosen design. This proposal is for 6 dwellings and therefore below the threshold of 'major development',

however in combination with the previously approved 4 dwellings within the grounds of Wisteria Cottage the scheme is a 'major development' of 10 dwellings.

- 5.12 The Statement describes the character of the surrounding area as an established residential area with a range of developments having been implemented over time. No features worthy of retention are identified; the existing bungalow is to be removed to allow for the proposed development.
- 5.13 No community consultation took place in determining the design of the proposals and the Statement does not identify whether any other design options were considered. However, it does refer to an intention to respect the character and built form of the area, including the use of appropriate materials as informing the proposed design.
- 5.14 There is not a uniform architectural style prevalent in the area, rather a wide range of building type and scale are apparent ranging from the Park Homes to the south, established individually designed dwellings to the west and the semi-detached dwellings to the north and the modern estate development to the east. The proposals would further enhance that mix of house types; a high quality of design detailing has been incorporated, resulting in dwellings of a pleasant appearance. It is noted that the use of traditional brickwork and clay pantiles will respect the character of the area.
- 5.15 The originally proposed three-storey townhouses were considered to be of too large a scale to be reasonably accommodated within the plot and were not considered to sit well with the existing built form and land levels. The adjacent Turkhan Close is approximately 1m higher than the application site; however the previously proposed properties did not reflect this change in levels being of the same overall height as the neighbouring properties.
- 5.16 It is now proposed that two-storey properties are introduced to the site, plots 7-10 would be the most visible on entering the site from Station Road and as a result of the reduced scale now proposed would be of a much less imposing appearance. The originally proposed dwellings would have had a ridge height of 9.8m, rising to a height of 11.5m with the inclusion of chimney stacks. The properties now proposed would be 8.5m in height; this reduction in height of over 1m reflects the change in ground levels between the site and the land to the east and therefore represents a more appropriate scale of development.
- 5.17 The inclusion of roof lights in the properties could allow for conversion of the storage area, however those works could be carried out under permitted development and would have no impact in scale or overlooking and as such it would be unreasonable to require removal of the roof lights from the proposed design as it would not undermine the merits of the scheme.
- 5.18 Each of the properties can be accommodated within the site with its own private amenity space, car parking, access and landscaping, the proposals are not therefore considered over development of the site. While acknowledging the frustration of neighbours at the piecemeal approach to development of the site with a number of applications having been submitted, the Council can only consider the merits of the applications proposed at any time. Account has been taken of the number of dwellings proposed for the site overall, but this is not considered unacceptable, irrespective of the number of applications that have been submitted to date.

Residential Amenity

- 5.19 The proposed dwellings would achieve reasonable separation distances between principle room windows of neighbours; it is not therefore considered an unacceptable level of overlooking would be created by the proposals. In line with the previous

applications for the site, it is proposed to enhance the landscaping to the southern boundary of the site; this will provide screening to soften the impact of the development for those residents on Millbank Court.

- 5.20 Concern has been raised by a neighbouring occupier about loss of light to a conservatory erected to the rear (north) of their property. The layout of the proposed properties is such that later afternoon sun may be reduced to the neighbouring property, however it is not considered that the side elevation of a conservatory would constitute a principle window to a primary habitable room and as such cannot be afforded significant weight to warrant refusal of the application.
- 5.21 Objectors have expressed concern about the potential for noise nuisance, particularly during construction. Unfortunately, a certain level of disruption is inevitably associated with construction work, however it is short-term and essential to allow development, as such it cannot be a reason for refusal. The proposals would increase the number of dwellings in the area but not alter the nature of uses alongside the existing residential properties. There is no reason to assume undue noise would result from residential use and accordingly Environmental Health have raised no objections to the application.
- 5.22 The objection citing the loss of a view cannot be attributed weight as this is not a material planning consideration. No detail has been provided with regards to changing the boundary treatment between the application site and the neighbouring property to the east, however concern has been raised with regards to the potential for subsidence given differences in land levels and that permission has not been sought from the neighbouring landowner to change the boundary treatment. These are civil issues that would need to be resolved between the two parties concerned and cannot therefore be taken into account in determining the planning application.
- 5.23 Concern has been raised about a loss of ecological value, there is no evidence of ecological value arising from the inspection of the site which is noted to be a managed garden space that is around a dwelling, triple garage, driveway and hard surfaced turning area.

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 S027-13-19 and S027-13-16-RevD, So27-13-30-RevA received by Hambleton District Council on 27/02/17 and 21/06/17 respectively unless otherwise approved in writing by the Local Planning Authority.
 3. The external surfaces of the development shall not be constructed other than of materials, samples of which have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development.
 4. 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 existing access shall be improved by widening to provide a minimum width of 4.5m and that part of the access road extending 10m into the site shall be constructed in accordance with Standard Detail number E6Var.
 - (ii) Any gates or barriers shall be erected a minimum distance of 4.5m back from the carriageway of the existing highway and shall not be able to swing over the existing highway.
 - (iii) Give Way lines to diagram 1003 shall be provided as shown on drawing reference Proposed Site Plan drawing number 16 Rev D.
 - (iv) The final surfacing of any private access shall not contain any loose material that is capable of being drawn onto the existing public highway. All works shall accord with the approved details unless otherwise agreed in writing by the Local Planning Authority.
5. 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 Site Plan drawing number 16 Rev. D).

Once created these areas shall be maintained clear of any obstruction and retained for their intended purpose at all times.

6. 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. 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.
7. 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:
- (i) on-site parking capable of accommodating all staff and sub-contractors vehicles clear of the public highway
 - (ii) 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.

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, CP8 and CP17.
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.
4. In the interests of a satisfactory form of development.

5. To provide for appropriate on-site vehicle facilities in the interests of highway safety and the general amenity of the development.
6. In accordance with Policy and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
7. 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.

Informatives

1. CIL
2. Bins