

**Parish: Seamer**  
Ward: Hutton Rudby  
**10**

Committee date: 12<sup>th</sup> October 2017  
Officer dealing: Miss Charlotte Cornforth  
Target date: 16<sup>th</sup> October 2017

**17/01350/FUL**

**Construction of a replacement dwelling**  
**Debeviane, Seamer**  
**For Mr and Mrs Evershed**

**This application is referred to Planning Committee at the request of Councillor Fortune**

**1.0 SITE, CONTEXT AND PROPOSAL**

- 1.1 The property of Debeviane is a detached chalet style bungalow dating from the 1960's with an attached carport. The dwelling has a conservatory on the façade of the property, which is located centrally on the dwelling.
- 1.2 The bungalow sits within a relatively large plot at an angle to the road frontage of Hilton Road and within the Development Limits for the settlement of Seamer. The angled siting of the dwelling has created a relatively large front garden looking onto the highway and open fields and a relatively small rear garden that is adjacent to neighbouring properties.
- 1.3 The application seeks consent for a replacement dwelling. Members should note that the new vehicular access is identical to that approved as part of application 16/02339/FUL.
- 1.4 The agent has provided details that state that rather than implementing and building the scheme that was granted planning consent earlier in the year 16/02339/FUL, the demolition of the existing dwelling and replacing it is more energy efficient and sustainable in the long term.
- 1.5 The proposed replacement dwelling would be slightly smaller (8 square metres) than the previously approved scheme and would be brought forward on the plot so that the main rear wall is further away from the neighbouring properties. The ridge height is as previously approved, with a steeper roof slope.
- 1.6 Revisions have been made reducing the length of the front living room by 0.5 metres and moving the dwelling back by 0.5 metres.
- 1.7 Therefore, at the closest point, the replacement dwelling at the north east corner would be 2.21 metres from the neighbouring property of Greenacres. However, the main bulk of the rear north boundary wall of the replacement dwelling is further away from the boundary (additional 1.1 metres) than previously approved.
- 1.8 The replacement dwelling will be positioned 6.13 metres at the closest point from the neighbouring property of St Helier to the west. The replacement dwelling would be positioned 9.24 metres from the front site boundary onto Hilton Road.
- 1.9 The proposed replacement dwelling will be constructed of a combination of stone and off white render, with a slate roof and aluminium windows and doors.

- 1.10 Members should note that a typical section and height comparison drawing accompanies this application, showing the existing bungalow, the existing planning consent (16/02339/FUL) and the proposed new replacement dwelling.

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

- 2.1 80/0818/FUL – Planning permission granted 24.04.1980 - Extensions to bungalow to include a car port.
- 2.2 83/0565/FUL – Planning permission granted 26.01.1984 - Replacement vehicular access.
- 2.3 16/02339/FUL – Planning permission granted but not implemented 06.01.2017 - Alteration to existing roof height of single storey dwelling to create first floor accommodation and a single storey extension to front of the bungalow and the creation of a new access.

This application was the subject of local objection and was approved by Planning Committee Members on the 5<sup>th</sup> January 2017. This decision is therefore a material consideration of significant weight.

## **3.0 RELEVANT PLANNING POLICIES**

- 3.1 The relevant policies are:

Core Strategy Policy CP1 - Sustainable development  
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 DP32 - General design

National Planning Policy Framework (2012)

## **4.0 CONSULTATIONS**

- 4.1 Seamer Parish Council – object to the application

Comments submitted for the previous application 16/02339/FUL are still relevant namely; issues of daylight being blocked at adjacent properties. Furthermore, issues regarding overlooking, the shape and style of the property being out of keeping with properties within the village and highway and sighting issues to access the property.

- 4.2 Highway Authority – no comments regarding this application have been received but the comments and conditions from the previous application have been considered.

- 4.3 Northumbrian Water - no comments to make, as no connections to the public sewerage network are proposed in the application documents.

- 4.4 Public comments (from both the initial scheme and the amended drawings)

2 letters of support have been received and the grounds of support are:

- The proposal will remove an ugly property in the village and it will be replaced with a very up-market architect-designed property which will raise the quality of the village
- The proposal is far better in appearance than the previous scheme and will use locally sourced stone

- The design and style of property will have a significant aesthetical improvement to both the village and the area

3 letters of objection have been received and the grounds of objection are:

- The extra height would impair natural daylight and sunlight to neighbouring properties and be overbearing
- The proposed extension to the south is a lot larger than the existing conservatory
- The proposed new drive exit is no safer than the existing one
- Disruption from building work will be caused to neighbouring properties
- The proposal will have a detrimental impact upon the open character and appearance of the surrounding countryside
- The property is too large and would not be suitable on such a prominent plot

## **5.0 OBSERVATIONS**

5.1 The main issues to consider are:

(i) the principle of development in this location; (ii) the impact upon the character and appearance of the surrounding area; (iii) the impact upon the amenity of neighbouring occupiers; and (iv) highway safety

### **The principle of development**

5.2 The property is located within the Development Limits of Seamer. It is considered that the existing bungalow is not a high quality example of architecture and lacks any local distinctiveness. The replacement of the property with a high quality, distinctive property in contemporary architecture would, in principle be acceptable and in accordance with policy subject to detailed consideration of its character and appearance and other potential impacts.

### **Character and appearance**

5.3 The plot is almost square in form and lies on a slight bend off Hilton Road. The dwelling sits at an angle within the plot. It is considered that the plot is of sufficient size to accommodate the enlargement of the dwelling as proposed.

5.4 The objections have raised issues with regard to the replacement dwelling not being in-keeping with the area and it being a dominant building. The proposal seeks a two storey dwelling, with pitched roofs. The property would be constructed from stone and off-white render under a slate roof with aluminium windows and doors.

5.5 The majority of the dwellings in this locality are single storey or one and a half storeys high. However, there is one property off Hilton Road, which is two storeys high, approximately 50 metres away to the west of the site.

5.6 The proposed dwelling lies at an angle to the nearest neighbouring property and as such there is no coherent building line as it does not align with any other properties in the immediate locality.

5.7 It is considered that the replacement dwelling would not be out of character in this location. It is acknowledged that the replacement dwelling would be a prominent feature adjacent to the highway, but the dwelling would be set well back from the

road and there is a relatively high front boundary hedge. Furthermore, the replacement dwelling is positioned within a relatively large plot which overlooks green fields to the south and east and would be adjacent to other dwellings within this area.

### **Neighbouring amenity**

- 5.8 Due to the location and orientation of the replacement dwelling, any limited overshadowing impact from the development is to the side elevation of the neighbouring property (Greenacres) where there are understood to be no principle habitable rooms.
- 5.9 There are 3 relatively small windows to the first floor, rear of the replacement dwelling that would look mainly onto the side elevation of the neighbouring property of Greenacres. These windows serve a main bathroom and 2 en-suites. A condition will be imposed to ensure that these windows are obscure glazed. The main outlook for the property is to the south, over the property's own garden and open fields.
- 5.10 Due to the angled position within the plot, it is considered that the replacement dwelling would not have a material, adverse impact upon the amenities of neighbouring residents in terms of overlooking, loss of privacy and impact on light.

### **Highway safety**

- 5.11 The Highway Authority assessed the previous scheme and considered the new vehicular access to be acceptable, subject to conditions. Objections have raised questions about the visibility splays. However, the Highway Authority has measured the splay and is satisfied that the requisite visibility requirements are met. The proposed development is not considered to be harmful to highway safety.

### **Conclusion**

- 5.12 In light of the above considerations and the previous decision which is a material consideration of significant weight, it is considered that the proposal would not cause significant harm to the amenities of the neighbours or the character and appearance of the surrounding 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 drawings numbered:

Location Plan S340 PL 001, Proposed Site Plan S340 PL 003 REV A, Proposed Block Plan S340 PL 004 REV A, Proposed GF Plan S340 PL 007 REV A, Proposed FF Plan S340 PL 008, Proposed North and South Elevations S340 PL 009 REV A, Proposed East and West Elevations S340 PL 010 REV A, 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 Authority in consultation with the Highway Authority. The works shall be implemented in accordance with the approved details and programme.
5. No part of the development shall be brought into use until the existing access on to Hilton Road has been permanently closed off and the highway restored. These works shall be in accordance with details which have been approved in writing by the Local Planning Authority in consultation with the Highway Authority. No new access shall be created without the written approval of the Local Planning Authority in consultation with the Highway Authority.
6. There shall be no access or egress by any vehicles between the highway and the application site (except for the purposes of constructing the initial site access) until splays are provided giving clear visibility of 47 metres in a westerly direction measured along the channel lines of the major road Hilton Road from a point measured 2.4 metres down the centre line of the access road. The eye height will be 1.05 metres and the object height shall be 0.6 metres. Once created this visibility area shall be maintained clear of any obstruction and retained for their intended purpose at all times.
7. 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 consultation with the Highway Authority. These facilities shall include the provision of wheel washing facilities where considered necessary by the Local Planning Authority in consultation with the Highway 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 in consultation with the Highway Authority agrees in writing to their withdrawal.
8. 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
  - b. on-site materials storage area capable of accommodating all materials required for the operation of the site.
  - c. The approved areas shall be kept available for their intended use at all times that construction works are in operation.
9. The windows to the first floor hereby approved to the rear of the property shall be finished in opaque glazing and shall be maintained in this condition in perpetuity.

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, DP1, CP17, DP32, CP16 and the NPPF.
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 accordance with policies CP2 and DP3 of the adopted Hambleton Local Development Framework and in the interests of highway safety
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7. In accordance with policies CP2 and DP3 of the adopted Hambleton Local Development Framework and to ensure that no mud or other debris is deposited on the carriageway in the interests of highway safety.
8. In accordance with policies CP2 and DP3 of the adopted Hambleton Local Development Framework 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.
9. In order to protect the amenity of the occupiers of neighbouring property and to accord with the requirements of Development Policy DP1 of the Hambleton Local Development Framework.

***Attention should also be given to the following 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 condition 04.
  - (i) The crossing of the highway verge and/or footway shall be constructed in accordance with the approved details and/or Standard Detail number E6.
  - (ii) Any gates or barriers shall be erected a minimum distance of 6 metres back from the carriageway of the existing highway and shall not be able to swing over the highway.
  - (iii) That part of the access extending 10 metres into the site from the carriageway of the existing highway shall be at a gradient not exceeding 1 in 10.
  - (v) The final surfacing of any private access within «distance» metres of the public highway shall not contain any loose material that is capable of being drawn on to the existing or proposed public highway.
2. With regard to condition 05, these works shall include, where appropriate, replacing kerbs, footways, cycleways and verges to the proper line and level.

3. With regard to condition 06, an explanation of the terms used above is available from the Highway Authority.