

Parish: Easingwold
Ward: Easingwold
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Committee date: 9 November 2017
Officer dealing: Mrs C Strudwick
Target date: 16 November 2017

17/01427/FUL

Demolition of existing buildings and replace with two pairs of semi-detached dormer bungalows with car parking and landscaping
At Former Hambleton District Council Depot, Stillington Road, Easingwold
For CFK Developments (Easingwold) Ltd

This application is referred to Planning Committee as the Council has an interest in the application site in the form of a private right of way crossing it

1.0 SITE, CONTEXT 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 by retirement apartments and to the east by bungalows fronting Leasmires Avenue. Bounded to the north and south by land that has planning permission for housing. Building work has commenced and is nearer completion on the land to the south. This piece of land is now surrounded by residential use or approval for residential use.
- 1.2 This application seeks permission for the demolition of all the redundant industrial buildings on site and the construction of two pairs of semi-detached dormer bungalows. A right of way passes through the middle of the site to allow access to the site to the north. The layout incorporates this right of way by placing a set of bungalows either side of the right of way. Each bungalow is provided with two parking spaces and amenity outdoor space. The route of the right of way to the west is shown to be incorporated in to garden space of the plot 1.
- 1.3 Plots 1 and 2 are positioned to the north west of the right of way, the floor space is 93 sq.m. The amended plans show two double bedrooms and one single bedroom, this size meets with the Nationally Described Space Standards. They are to be finished in a rustic red/brown facing brick, with orange/red double roman interlocking concrete tiles.
- 1.4 Plots 3 and 4 are positioned to the east of the right of way; the floor space is 104 sq.m, which also meets with the Nationally Described Space Standards. They are to be finished in a rustic red/brown facing brick, with orange/red double roman interlocking concrete tiles.

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 11/02245/FUL - Construction of five 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 16/01785/OUT - Outline application with details of access and layout (all other matters reserved) for construction of three dwellinghouses and two bungalows; Refused 10 March 2017.

- 2.4 17/00007/CLE - Certificate of Lawfulness (Existing) for two light industrial units and external storage areas for maintenance repair and storage. Undetermined, held in abeyance pending determination of the current application 17/01427/FUL.

The following applications relate to adjacent land:

To the west

- 2.5 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.
- 2.6 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

- 2.7 15/02638/OUT - Outline application for construction of four dwellings; Granted 5 May 2016. No reserved matters submission has been made.
- 2.8 17/01688/DPN - Prior notification of proposed demolition of a garage building; Granted 3 October 2017

To the south

- 2.9 16/02541/FUL - Demolition of building and construction of 8 apartments with associated external works; Granted 13 February 2017. Construction works nearing completion.

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 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 CONSULTATIONS

- 4.1 Parish Council – Wishes to see the application approved.
- 4.2 Highway Authority – No objection subject to a condition to secure a construction method statement.
- 4.3 Yorkshire Water – No comment.
- 4.4 Environmental Health Officer – No objection.

- 4.4 Public comments – One comment of support has been received from the developer of the neighbouring site.

One comment of objection notes that the site was supposed to be for light industry. Noting that no jobs arise from the development, that the town has too few jobs and too little industry, insufficient infrastructure (lacking a swimming pool and petrol filling station) and questioning whether more houses are needed.

5.0 OBSERVATIONS

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

Principle

- 5.2 The site is within the Development Limits of Easingwold, a Service Centre defined in the LDF Core Strategy, and therefore it is a sustainable location for housing. The LDF seeks to concentrate residential development in the Market Towns (policy CP6). The principle of residential use of the site is therefore supported.

Loss of employment land

- 5.3 The site has an uncertain history; an application for a Certificate of Lawful Use and Development relating to the two light industrial units and external storage areas for maintenance repair and storage remains undetermined. It has not been possible to establish the type and extent of the use. However, the buildings have an appearance that would support some form of maintenance depot use, but that use has ceased.
- 5.4 LDF Policy DP17 sets out that sites and premises will be safeguarded for employment purposes. Further that permission for any use that may have an adverse effect on an area's primary purpose for employment will not be granted. Prior to the redevelopment of the land to the west and south that area had a primary purpose for employment and infrastructure use (fire station). However following the development of these sites the area (the application site and the adjoining land) no longer has a primary purpose for employment. Indeed the area is dominated by residential uses. It is arguable therefore that the proposal does not need to meet the policy DP17. Additionally the removal of a maintenance depot use in a residential area could prevent amenity problems, such a noise or odours from occurring and provide an enhance to the residential environment.

Layout of the site

- 5.5 The site is constrained by the private rights of way which pass through the middle and west of the site, running from the south of the site, 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 these rights of way the layout of the site is constrained, however the submitted layout of the site accommodates four units achieving an acceptable overall density (20 dwellings per hectare) and adequate outdoor amenity space and parking provision.
- 5.6 The layout of the site shows a band of trees on the western boundary and on the southern boundary. These do not exist currently, and the landscaping could be extended to include some planting on the northern boundary. It is recommended that a condition is placed on any consent to ensure that this landscaping is carried out as this will help soften the development and establish some screening for future residents of this scheme, and surrounding residents of existing homes.

Amenity

- 5.7 The site to the north of this has the benefit of planning permission for four bungalows (15/02638/OUT) and the site to the south for eight 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. As noted above the removal of the depot use could enhance the residential environment. 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), each granted since the adoption of the LDF and NPPF.
- 5.8 There has been extensive discussion with the agent regarding the floor areas of the dwellings. The dormer bungalows are proposed as three-bedroom dwellings, with floor spaces of either 93 or 104 sq.m. These sizes meet the minimal Nationally Described Space Standards which are incorporated into the Council's Supplementary Planning Document on Size, Type and Tenure of New Homes. Accordingly the scheme complies with LDF policies CP1 and DP1.
- 5.9 The previous scheme on this site was refused in part due to the undersized nature of the dwellings. The applicant has clearly taken that issue on board in the design of the current proposal.
- 5.10 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 four would sit approximately 1.8m from the boundary of 9 Leasmires Avenue. There are no windows proposed on the second floor of the side elevation facing onto Leasmires Avenue and given this, the orientation and the bungalow height of the dwellings, it is not expected that there would be an unacceptable loss of residential amenity as a result of the positioning of this dwelling or the other dwellings on site. It is considered that the scheme is compliant with LDF Policy DP1.
- 5.11 The design of the buildings include roof lights to the rear roof slope, avoiding the use of dormer windows which would impact on the amenity of any future residents of the site to the north. It is recommended that a condition is imposed on any consent removing permitted development rights for modification of the roof without prior consent from the local authority.

Highway matters

- 5.12 Sufficient parking spaces are provided for the four dwellings and an electric vehicle charging point. The Highway Authority has no objection to the scheme subject to appropriate conditions.

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 1890/100/B, 103/A, 104/C and 101/B and

102/C received by Hambleton District Council on 20th and 30th October 2017 unless otherwise approved in writing by the Local Planning Authority.

3. Notwithstanding the provisions of any Town and Country Planning General or Special Development Order, for the time being in force relating to 'permitted development', no enlargement, improvement or other alteration shall be carried out to the dwelling or building nor shall any structure be erected within or on the boundary of the curtilage of the dwelling hereby approved without express permission on an application made under Part III of the Town and Country Planning Act 1990.
4. The development shall not be commenced until a detailed landscaping scheme indicating the type, height, species and location of all new trees and shrubs, has been submitted to and approved by the Local Planning Authority. No part of the development shall be used after the end of the first planting and seeding seasons following the approval of the landscaping scheme, unless the approved scheme has been completed. Any trees or plants which within a period of 5 years of planting die, are removed, or become seriously damaged or diseased, shall be replaced with others of similar size and species.
5. Prior to development commencing detailed cross sections shall be submitted to and approved in writing by the Local Planning Authority, showing the existing ground levels in relation to the proposed ground and finished floor levels for the development. The levels shall relate to a fixed Ordnance Datum. The development shall be constructed in accordance with the approved details and thereafter be retained in the approved form.
6. No development shall take place until details of the proposed means of disposal of foul and surface water drainage, including details of any balancing works and off-site works, have been submitted to and approved by the Local Planning Authority.
7. The use of the development hereby approved shall not be commenced until the foul sewage and surface water disposal facilities have been constructed and brought into use in accordance with the details approved under condition 6 above.

The reasons for the above conditions 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, CP16, DP28, CP17 and DP32.
3. The Local Planning Authority would wish to retain control over the extension, improvement or alteration of this development in the interests of the appearance of the site and the amenities of residential property nearby in accordance with Local Development Framework Policies CP1, DP1, CP17 and DP32.
4. In order to soften the visual appearance of the development and provide any appropriate screening to adjoining properties in accordance with Local Development Framework Policy.
5. To ensure that the development is appropriate in terms of amenity in accordance with Local Development Framework Policies CP1 and DP1.

6. To ensure that the rate and volume of surface water drained via main sewer from the site will avoid, so far as is reasonably achievable, the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.
7. In order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.

Informatives

1. 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 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 Hambleton District Council - Waste and Streetscene.

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.

2. You are advised that a separate licence will be required from the Local Highway Authority in order to allow any works in the adopted highway to be carried out. The local office of the Local Highway Authority will also be pleased to provide the detailed constructional specification referred to in this condition.
3. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7 April 2015.