

Parish: Romanby
Ward: Romanby
4

Committee date: 5 April 2018
Officer dealing: Mr K Ayrton
Target date: 11 July 2017

17/01095/FUL

**Construction of four dwellings (amended from five)
At The Golden Lion, Romanby
For Punch Taverns PLC**

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

1.0 SITE, CONTEXT AND PROPOSAL

- 1.1 The site is located in Romanby and forms part of the car park for the Golden Lion public house. The car park is set to the rear of the public house with an access off Richmond Rise, which is a cul-de-sac serving several detached dwellings.
- 1.2 The surrounding use is predominantly residential, other than the public house and a convenience store, with a mix of two storey dwellings and a more limited number of bungalows on the entrance to Richmond Rise. The dwellings are relatively modern and of limited character. The frontage of the public house and adjoining buildings are more reflective of the Romanby Conservation Area, which includes the public house and extends to the west. However, the rear of the buildings, which front the application site, have been the subject of several extensions and alterations. There is a small grass verge and trees to the front (north) of the site and a small area of open space to the rear (south), which also adjoins the access road into Ainderby Gardens - a relatively modern housing estate.
- 1.3 The proposal is to construct four semi-detached properties. The dwellings would be sited to reflect the established building line on Richmond Rise and of a traditional form and appearance, with a contemporary touch with the use of render and openings. The public house car park would be reduced in size (24 spaces retained) with a new access being formed to serve the dwellings, which requires an opening to be formed in the boundary wall. The existing mature tree to the front of the site would be retained.
- 1.4 The scheme as originally submitted was for five four-bedroom dwellings. During the consideration of the application, the agent responded positively to concerns raised, by reducing the height of the proposed dwellings, introducing a dormer bungalow and a greater amount of smaller dwellings. The scheme was finally amended to remove the bungalow and reduce the number of units down to four (two pairs of semi-detached houses).

2.0 RELEVANT PLANNING AND ENFORCEMENT HISTORY

- 2.1 No recent planning history

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 CP16 - Protecting and enhancing natural and man-made assets
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 DP13 – Achieving and maintaining the right mix of housing
Development Policies DP28 - Conservation
Development Policies DP30 - Protecting the character and appearance of the countryside
Development Policies DP32 - General design
National Planning Policy Framework - published 27 March 2012

4.0 CONSULTATIONS

4.1 Contaminated Land: To review phase 1 study

4.2 Environmental Health Officer: the proposed development is in close proximity to a public house and associated car park. I have concerns that noise from this enterprise may cause impact on the local amenity for the future occupiers of the proposed dwellings. The public house is open Monday - Friday from 10:00-00.30 and 11:00-00:30 on a Sunday.

However, it is clear that some of the suggested mitigation measures are going to be implemented e.g. screening of the pub car park and proposed gardens to reduce noise levels. The position of the properties in the proposed site layout plan will minimise any noise impact created by the existing public house as the properties are not directly facing the noise sources.

I therefore feel it appropriate to suggest that any approval of this application should be granted subject to the condition that all works detailed in the construction management plan shall be implemented and maintained throughout the development.

4.3 Parish Council - No comments received.

4.4 Public Comments - Eight observations in respect of the originally submitted scheme:

- The proposed three storey dwellings will result in overlooking and loss of privacy;
- Five houses is excessive;
- Concerns over access for refuse delivery vehicles;
- Existing car parking problems will be increased because of the development;
- Trees need to be protected;
- Additional noise and light pollution from traffic would harm residential amenity;
- The buildings are not in keeping;
- Inaccurate statements are made in the supporting documents; and
- Enough housing has already been built in Romanby.

A further three letters of objection were received in response to the amended plans, making the following comments:

- The reduction to two storey is more appropriate for the site; however a reduction in the number of dwellings would also be welcomed;
- The trees planted on the grassed area on Richmond Rise were planted in memory of a young boy;
- Parking remains a concern - resident parking permits may help; and
- The houses will overlook properties along Ainderby Road.

4.5 Highway Authority – Awaiting highway comments on amended plans.

5.0 OBSERVATIONS

5.1 The main issues to consider are: (i) the principle of development; (ii) the impact on the character and appearance of the area, including design; (iii) the impact on neighbour amenity; (iv) the highway impact, including car parking; and (v) the impact on trees.

Principle

5.2 The site is located within the Development Limits of Romanby. Policy DP8 permits development within Development Limits, providing it is consistent with other LDF policies. The site is previously developed land, used for car parking, and is located within a sustainable location, with good access to a range of services and facilities. Therefore the principle of residential development in this location can be supported.

Character and appearance of the area

5.3 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.

5.4 The site is located within an area of mixed dwelling types and character. Whilst located close to the Conservation Area, its position to the rear of the public house is such that it is not viewed in the context of the Conservation Area, which is focused on the area around The Green, to the west. The dwellings that are viewed in the context of the site include those on Richmond Rise, which relate to the northern aspect of the proposed site and the front elevation of the proposed dwellings; and dwellings on Ainderby Gardens, which relate to the southern aspect of the proposed site and are of a more recent construction.

5.5 The proposed layout continues the established line of development on Richmond Rise. The dwellings would be of a comparable height, fronting the road, albeit set back behind an area of hardstanding providing access. The new access created off Richmond Rise would allow the retention of the trees located on the green area to the front of the site. These are referred to in the public observations as having sentimental value. The larger tree on the boundary can also be retained.

5.6 The rear of the dwellings would be visible from the road into Ainderby Gardens. The view would be over an existing area of public open space. Due to the variety of layouts within the vicinity, public views of rear elevations are a common feature and the development would not be out of character in this regard.

5.7 The appearance of the proposed dwellings would not match those found in the immediate vicinity of the site. As discussed previously, the area is characterised by a mix of dwelling forms and characters. Importantly the scale and layout is consistent with the prevailing character. The proposed development is considered to be of a suitably high standard of design to comply with the requirements of Policy CP 17 and

DP32, subject to the considerate use of materials, which can be controlled through condition.

Residential Amenity

- 5.8 The site is located within a predominantly residential area, therefore careful consideration needs to be given to the impact on neighbour amenity. The two main areas where harm could be caused are in relation to 14 Richmond Rise to the east and 7 Ainderby Gardens to the south. Both properties have their gable ends facing the site. However, it is considered that the proposed development has been sited to avoid any detrimental impact and the reduction in the number of units further reduces this impact. There is sufficient separation to both properties, to avoid adverse levels of overlooking or overshadowing. The situation has been helped through the reduction in height of the proposed development.
- 5.9 It can be concluded that the development would accord with policy DP1, in that it adequately protects residential amenity.

Highway impact

- 5.10 The scheme involves the loss of part of the car park which serves the public house. The retained area would be arranged to provide 24 car parking spaces for the public house. The applicant has submitted a survey of existing car parking usage, which identified that the car park generally has up to 12 spaces being used, noting that the busiest day was Saturday. It is considered that based on the evidence submitted and having viewed the site and surrounding area, which is located where there are other modes of transport available, 24 car parking spaces will be sufficient to meet the needs of the public house.
- 5.11 The proposed development would be served by a new access, independent of the public house. Within the site each dwelling would have two parking spaces along with manoeuvring space to the front of the dwellings. The provision is considered to be acceptable.
- 5.12 Concerns have been raised from members of the public with regard to existing parking pressures with a suggestion of residential parking permits. Whilst these concerns are noted, the proposed development meets the guidelines on parking standards. The local highway authority's comments on the amended plans are awaited and will be reported in the update.

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 06A, 08A, 04D and 09D received by Hambleton District Council on 21 September 2017 and 20 March 2018 unless otherwise approved in writing by the Local Planning Authority.
 3. No above ground construction work shall be undertaken until details of the materials to be used in the construction of the external surfaces of the development have been submitted in writing to the Local Planning Authority for approval and samples have been made available on the application site for inspection (and the Local Planning Authority have been advised that the materials are on site) and the materials have

been approved in writing by the Local Planning Authority. The development shall be constructed of the approved materials in accordance with the approved method.

4. The development hereby approved shall not be commenced until details of the foul sewage and surface water disposal facilities have been submitted and approved in writing by the Local Planning Authority. The submitted details shall demonstrate that the surface water can be managed, including surface water as a result of the development, managing the risk associated with surface water from elsewhere and all without increasing the flood risk to existing premises.
5. 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 4 above.
6. Notwithstanding the submitted details and prior to the development commencing, a scheme of hard and soft landscaping works shall be submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall provide details of the species, numbers and locations of planting, all hard surface materials, timescales for implementation and a maintenance schedule. 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 unless agreed otherwise in writing by the Local Planning Authority.
7. The permission hereby granted shall not be undertaken in accordance with the Site Construction Management Plan received by Hambleton District Council on 16 May 2017 unless otherwise approved in writing by the Local Planning Authority.

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. To ensure compliance with Section 92 of the Town and Country Planning Act, 1990
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 order to avoid the pollution of watercourses and land in accordance with Local Development Framework CP21 and DP43.
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6. 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 DP32.
7. In order to protect the amenities of residential property in the locality.

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. This planning permission is liable to the Community Infrastructure Levy adopted by Hambleton District Council on 7th April 2015.